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# THESIS

**THE CONFLICT AFTERMATH — A CHANCE FOR DEMOCRACY: NORM DIFFUSION IN POST-CONFLICT PEACE BUILDING**

by

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Democratization in post-conflict situations is a major challenge, now and in the foreseeable future. Yet, the puzzle of why some of these attempts fail and others succeed is still unresolved. This thesis argues that post-conflict democratization by third parties is, at its core, a norm diffusion process. Successful democratization depends foremost on the acceptance and internalization of democratic norms by the target society.  Knowledge of the norm diffusion concept, especially the influence of the two variables, *cultural match* and *norm empowerment* on the process might lead to the development and the application of better democratization strategies. This thesis argues that post-conflict situations with their specific features–primarily characterized by value disorientation–offer a unique opportunity for a democratic transition. It examines the cases of the Weimar Republic, the Federal Republic of Germany, and Bosnia and Herzegovina (Bosnia) in order to demonstrate the explanatory power of the norm diffusion theory, specifically its added value in studying success and failure of past and present democratization in post-conflict situations.

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# THE CONFLICT AFTERMATH — A CHANCE FOR DEMOCRACY: NORM DIFFUSION IN POST CONFLICT PEACE BUILDING

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# ABSTRACT

Democratization in post-conflict situations is a major challenge, now and in the foreseeable future. Yet, the puzzle of why some of these attempts fail and others succeed is still unresolved. This thesis argues that post-conflict democratization by third parties, at its core, is a norm diffusion process. Successful democratization depends foremost on the acceptance and internalization of democratic norms by the target society. Knowledge of the norm diffusion concept, especially the influence of the two variables, *cultural match* and *norm empowerment* on the process might lead to the development and the application of better democratization strategies. This thesis argues that post-conflict situations with their specific features–primarily characterized by value disorientation–offer a unique opportunity for a democratic transition. It examines the cases of the Weimar Republic, the Federal Republic of Germany, and Bosnia and Herzegovina (Bosnia) in order to demonstrate the explanatory power of the norm diffusion theory, specifically its added value in studying success and failure of past and present democratization in post-conflict situations.

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# I.    INTRODUCTION

This thesis analyzes how international actors diffuse norms in post-conflict peace building. It intends to help shape a new approach and better working strategies for democratization in post-conflict situations, which have been a major challenge since the Cold War ended. Yet, this is not a new task since post-conflict peace building and democratization were major challenges already after the two world wars. The mixed results in most past and ongoing missions demonstrate that, so far, a formula of how successful democratization can be achieved in post-conflict situations has not been found. Although post-conflict peace building and democratization are a prominent and often discussed topic among decision-makers and social scientists, the puzzle has not been solved yet.

This thesis examines the cases of the Weimar Republic, the Federal Republic of Germany, and Bosnia and Herzegovina (Bosnia) through the conceptual lens of the norm diffusion concept with the aim to demonstrate the explanatory power of that theory, specifically its added value in studying the success and failure of past and present democratization in post conflict situations in the hope that better understanding might lead to better policies.

This thesis argues that post-conflict situations with their specific features–primarily characterized by value disorientation–offer a unique opportunity for a democratic transition. Democratization needs to be regarded as a social learning process, and successful democratization depends foremost on the acceptance and internalization of democratic norms by the target society.

Looking at democratization attempts through the lens of norm diffusion provides valuable insights and understanding of the conditions within this process. The focus of the study is on the enabling and obstructing factors (enablers and obstacles) of this transition. Since the internalization of democratic norms is, above all, a mental transformation process, both cognitive and affective, knowledge about the enablers and obstacles within the process serves different purposes. First, it can help to explain the puzzle of why democratization attempts under apparently similar conditions lead to

different outcomes. Second, the norm diffusion concept can be a tool to analyze target societies and their starting position and thereby protect against misleading assumptions and overoptimistic expectations in ongoing and future democratization attempts. Furthermore, the findings provided by this research are paramount for the development of adequate policies.

So far, norm diffusion has been researched mainly in the context of the enlargement processes of the Euro-Atlantic institutions, particularly the European Union (EU) and the North Atlantic Treaty Organization (NATO). The end of the Cold War and the thaw in East-West relations—climaxing in the dissolution of the Warsaw Pact—allowed the Euro-Atlantic Community to gradually spread its norms further east and to construct a united Europe "based on Western values" on the entire continent.[1]

The promotion of peaceful transitions to liberal democracy and free market economies in the immediate neighborhood still is a declared policy goal of the Euro-Atlantic Community. The successful integration of many Central and Eastern European states into NATO and the EU is a significant achievement in the process of enlarging the zone of peace and democracy in Europe.[2]

However, in spite of these favorable developments and a growing Euro-Atlantic Community, the expected "peace dividend" of a reduced military could only be partly collected due to new challenges in the security environment.[3] With the breakup of the former Yugoslavia in the early 1990s, the resurgence of radical nationalism threatened Europe for the third time in the twentieth century.[4] The direst consequence was three and

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[1] Ian Q. R. Thomas, *The Promise of Alliance: NATO and the Political Imagination* (Lanham: Rowman & Littlefield, 1997), 144-145.

[2] Max Singer and Aaron Wildavsky, *The Real World Order: Zones of Peace/Zones of Turmoil* (Chatham, New Jersey: Chatham House Publishers, 1996), 35.

[3] Stanley R. Sloan, *NATO, the European Union, and the Atlantic Community: The Transatlantic Bargain Reconsidered* (Lanham: Rowman & Littlefield Publishers, 2003), 49.

[4] Lars-Erik Cederman, "Nationalism and Ethnicity," in *Handbook of International Relations*, edited by Walter Carlsnaes, Thomas Risse and Beth A. Simmons (London et al.: SAGE, 2002) 409; Michael E. Brown, "The Causes of Internal Conflict: An Overview," in *Nationalism and Ethnic Conflict*, edited by, Michael E. Brown et al. (Cambridge, MA: The MIT Press, 1997), 3-25; Stephen Van Evera, "Hypotheses on Nationalism and War," in *Nationalism and Ethnic Conflict*, edited by, Michael E. Brown et al. (Cambridge, MA: The MIT Press, 1997), 40-41.

a half years of ethnic conflict in the former Yugoslav Republic of Bosnia and Herzegovina resulting in around 200,000 dead and two million refugees who largely headed to Western Europe.[5]

Bosnia can be seen as a prime example of the kind of *intra-state* conflict that has increasingly challenged the Euro-Atlantic Community since the end of the Cold War. Internal conflict has become dominant worldwide, and the demand for peace operations has grown significantly. The number of United Nations (UN) mandated peace operations increased almost fourfold during the last fifteen years. Not only the number, but also the nature and the context of these operations have changed. The main reasons for intervention were no longer *inter-state* conflicts but intra-state and *ethnic* conflicts, such as in Rwanda, in Somalia, and in the former Yugoslavia. Whereas most of the peace operations at first took place in Africa, with relatively small military contributions from developed countries, the wars in the Balkans changed that situation and led to a stronger direct involvement of European states in peace operations.[6]

At the beginning of the twenty-first century, both processes are still ongoing. The Euro-Atlantic Community is growing and spreading its norms and values peacefully, and at the same time increasingly participating in peace building and democratization processes. Whereas the enlargement processes in NATO and EU can be regarded as success stories, post-conflict peace building and democratization processes are, at best, partially successful. This is disappointing as well as surprising since there should be enough experience in this field to achieve better results. In spite of the many attempts to democratize countries in the context of post-conflict peace building, the overall results so far are not convincing. Failed approaches have been repeated and many projects still seem to be characterized more by a trial and error approach than by a sound long-term strategy. Strategy and operational design of post-conflict peace building repeatedly focused too heavily on exit strategies and on the conditions that needed to be created for a

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[5] James Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (London: Hurst and Company, 1997); Lars-Erik Cederman, "Nationalism and Ethnicity," in *Handbook of International Relations*, ed. Walter Carlsnaes, Thomas Risse and Beth A. Simmons (London et al.: SAGE, 2002) 409; Mark Mazower, *Dark Continent: Europe's Twentieth Century* (New York: Vintage, 1998), 346, 391-393.

successful transition to stable peace and democracy and less on how these conditions could be created in the democratization process.

Post-conflict peace building began long before UN Secretary General Boutros Boutros-Ghali in his "Agenda for Peace" coded the term in 1992. The first democratization projects in post-conflict situations took place in the context of the reconstruction of Europe after the First World War and again after the Second World War. Today, there exists a broadly shared concept among the various agents in the field of post-conflict peace building of how countries should be transformed. The aim of post-conflict peace building is to create a stable peace through the democratization of the respective target country. The most prominent post-conflict democratization attempts today are the ongoing projects in Afghanistan, in Bosnia, in Kosovo and in Iraq.

This thesis argues that post-conflict democratization by third parties, at its core, is a norm diffusion process. It also attempts to explain this process in order to assist in the resolution of ongoing problems with establishing democracy in post-conflict situations. Successful democratization takes place only if democratic norms are accepted and internalized by the target society. This thesis will show that in post-conflict situations the application of insights from norm diffusion research might turn failure into success in democratization attempts.

Democratization in post-conflict situations is a major challenge, now and in the foreseeable future. The puzzle of why some of these attempts fail and others succeed is still unresolved. The formula, if there is one, for this task is yet to be found. It therefore remains a prime research topic. And there is a high demand for research that approaches the topic from new perspectives.

The existing studies concentrate either on the practical aspects in the planning and conduct of post-conflict peace building operations or on democratic transition processes. But so far, both topics have been researched separately from each other. Also, many studies, in both fields, have a descriptive and explanatory character without much reference to or incorporation of International Relations (IR) theory. According to Roland

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[6] United Nations, *Peacekeeping: Meeting New Challenges*., 1.
http://www.un.org/Depts/dpko/dpko/faq/q&a.pdf, (accessed, December 1, 2006).

Paris, there is a vast literature "on practical, policy-related issues such as the design and conduct of particular missions, rather than building bridges between the study of peace operations and larger theoretical debates in the [political science] discipline."[7]

Furthermore, the question of what the end-state should look like in post-conflict situations concerning the transition to democracy seems to be well researched; however, the question of how to get there has been mostly neglected. Studies give attention to the desirable outcomes and compare this ideal with the situation in a specific country at a specific time. Only few studies track post conflict peace building endeavors over a period of time; and, there exists no study that analyzes the democratization process in the post conflict situation through the conceptual lens of norm diffusion. By doing so, the present study follows a suggestion of Roland Paris.[8]

It closes a gap in the existing scholarly literature and contributes to more closely connecting IR theory and the conflict resolution field. It sheds light on post-conflict peace building and democratization from a new perspective and it helps to explain why many post-conflict peace building projects succeed or fail. This thesis shows how IR theory can contribute significantly to the study of democratization in post-conflict situations: "The core preoccupations of IR theory—such as the role of interests, ideas, and norms in international politics, the possibility of cooperation among international actors, and the interaction between domestic and international politics – are questions that peace operations also raise."[9] The insights from the norm diffusion concept have considerable relevance for the development of strategies aimed to turn "zones of turmoil and development" into "zones of peace and democracy."[10] Knowledge of the norm diffusion concept is key to winning the "hearts and minds" of the people in war-torn societies, as we know from democratic peace theory that democracy and peace are closely connected.

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[7] Roland Paris, "Broadening the Study of Peace Operations," *International Studies Review*. 2 3(2000): 36; See also: Roland Paris, "Peacebuilding and the Limits of Liberal Internationalism," *International Security*. 22 2 (1997): 63.

[8] Paris, "Broadening the Study of Peace Operations," 44.

[9] Paris, "Broadening the Study of Peace Operations," 36. See also: Paris, "Peacebuilding and the Limits of Liberal Internationalism," 31-32.

10 Singer and Wildavsky, 7.

The main research question of this thesis is: *How much does the process of norm diffusion affect success and failure of democratization through third parties in post-conflict situations?*

Sub-questions to be addressed by the study include

1. What are the chief characteristics of post-conflict situations?
2. Who are the main actors in post-conflict peace building and democratization processes?
3. Which norms are transferred, and, most importantly, how are norms transferred?
4. What are the major enabling and obstructing factors (enablers and obstacles) in the norm diffusion process?
5. Can these factors be influenced, and if so, how?

Two hypotheses will guide the research. The first is that a post-conflict situation offers a unique opportunity for the diffusion of democratic norms. The second is that knowledge and understanding of the main enabling and obstructing factors in the norm diffusion process can help to analyze more adequately the post-conflict starting position in a target society, which is an important precondition for the development and implementation of adequate democratization strategies.

The main argument of this thesis is that successful democratization can only take place if democratic norms are accepted and internalized by the target society. Although the post-conflict situation offers a unique opportunity for norm diffusion, this chance is often not used because of a lack of understanding of the process of norm diffusion. The key actors in post-conflict peace building basically share the same normative setup. They dispose of strong, yet over time diminishing leverage, but they can only use this advantage when they apply the rules of norm diffusion in their strategies and empower new norms adequately.

Although cases differ, the findings of this thesis are transferable. They should help us to analyze the starting position of a target society, to develop an appropriate strategy of norm empowerment, to identify and surmount obstacles and to use enablers.

The thesis consists of four chapters. This chapter has given information on the topicality and the relevance of the topic, on the major research questions and arguments as well as on the organization of the thesis. The second chapter describes the theoretical framework for the research. The primary focus of chapter two is on how democratic norms are transferred in post conflict peace building projects. The question of what is transferred does not play a major role in understanding the process of norm diffusion in post-conflict situations, but both questions are not divisible since what is transferred influences the willingness to accept new norms. The third chapter contains the three case studies. In each case study, the different enablers and obstacles in the democratic transition process are analyzed in the specific situational context. At the end of chapter three the findings of the case studies are compared. Chapter IV draws conclusions.

To answer the research question and to illustrate the value of this approach, this thesis transfers key insights of the concept of norm diffusion to post-conflict peace building. To support the argument that successful democratization can only take place if democratic norms are accepted and internalized by the target society and to test the hypotheses, this thesis will first conceptualize post-conflict peace building and norm diffusion separately, and then link both. Afterwards, the conceptual framework is tested in three case studies: the Weimar Republic, the Federal Republic of Germany, and Bosnia-Herzegovina.

Of the several available cases concerning that issue, these three cases were selected for a comparative structured, focused case study[11] because they offer a good opportunity to demonstrate the influence of the two independent variables, *cultural match* and *norm empowerment* on the dependent variable *democratization* in post conflict environments. Also, together, these three cases reflect a broad spectrum of starting positions the international community can encounter in further post-conflict democratization attempts.

The cases show common patterns as well as significant diversities. All three countries in the post-conflict phase were perceived as posing a threat to European

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[11] Alexander L. George and Andrew Bennet, *Case Studies and Theory Development in the Social Sciences* (Cambridge, Massachusetts: Harvard University, 2005), 67-72.

security. However, the serious commitment to democratize each respective country and the norm empowerment by the international community differed.

The Weimar Republic surpassed the worst expectations of the pessimists at that time; democracy was only short-lived and developed into an authoritarian state. The Weimar Republic is often referred to as a prime example for what can go wrong in post-conflict situations and as a failed democracy, whereas the Federal Republic of Germany is often used as a model case for a successful democratization and integration into the European Community after the Second World War. Both cases demonstrate how the same society experienced significant change in its political culture within a few decades. The Federal Republic of Germany has long been regarded as an established, mature democracy and also today, after unification, there is no doubt that democracy is deeply entrenched in German society. Bosnia and Herzegovina, with its inherent danger of threatening Europe with the spread or reemergence of civil war, "posed a potential threat to European security."[12] The case of Bosnia demonstrates how the norm diffusion concept works in the context of a divided society. The information garnered from the research can be applied after both inter-state and intra-state conflict.

Measurement is a problem of most social sciences since mental and affective processes cannot be observed directly. Yet these processes can be observed indirectly via various indicators that are subject to interpretation, such as political behavior and decision-making. Electoral processes and election results can be evaluated as well as political rhetoric. There are different ways to collect, analyze and compare sociological data, such as opinion polls, surveys or interviews. It can be observed whether "hate speech" and attempts to radicalize masses are part of a political campaign or whether reconciliatory and more modest tunes prevail in these campaigns. Also, there are different ways to compare an existing political culture or a process of convergence and divergence between different political cultures. It is possible, within limits, to grasp political reality and to assess how far democratic norms are and are not established in daily political life. Indicators can be observed both for elites and in the population. Scholars can judge whether people act in accordance with an international norm or whether people deviate

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[12] Paris, "Broadening the Study of Peace Operations," 37.

from it. The more people act in accordance with a democratic norm, the more it can be regarded as successfully diffused. Changes in behavioral patterns, especially a deviation from former patterns in the direction of desired behavior, can be grasped and assessed relatively objectively. Changes in the cultural match scale can also help to determine in which direction a society is moving in its belief systems, norms and values.[13] Based on these assumptions, this thesis will use the estimation of success or failure of the democratization process in the referred to sources as a benchmark for measurement.

Both primary and secondary sources will be used for the theoretical framework and for the case studies. Main primary sources are official documents from the UN, the EU and the OSCE, as well as statistical data provided by Freedom House and the UN. Secondary sources will be derived from the various fields of research, which are merged in this thesis:

- scholarly books and journal articles on post-conflict peace building
- scholarly books and journal articles on norm diffusion, and
- scholarly books and journal articles on peace building in the Weimar Republic, the Federal Republic of Germany, and Bosnia and Herzegovina.

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[13] J. Meyer and D. Strang, "Institutional Conditions for Diffusion," *Theory and Society.* 22 (August 1993): 503-504.

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# II.    THEORETICAL FRAMEWORK

## A.    PEACE OPERATIONS

Especially since the end of the Cold War and the many new missions in its aftermath, the literature on peace operations has grown rapidly. A large part of that literature deals with the evolution of peacekeeping and the change in the concept.[14]

According to its founding document, the purpose of the UN is "to maintain international peace and security."[15] To allow the world organization to fulfill its purpose, the UN Charter, especially Chapters VI and VII, provides the organization with different options for acting in inter-state conflicts. Chapter VI deals with peaceful conflict resolution "by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."[16] Chapter VII authorizes the UN to use force when international peace and security are threatened.[17]

Since the end of the Cold War, internal conflict has become dominant worldwide. Yet within the UN Charter there is no comparable catalogue of options to counter intra-state conflict as there is for inter-state conflict. The UN Charter mainly highlights the sovereignty and territorial integrity of states and the principle of non-intervention in

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14 See for example John Hillen, *The Blue Helmets: The Strategy of UN Military Operations* (Washington D.C.: Brassey's, 2000).  A good overview of evolution and change of peacekeeping is provided by Frederick H. Fleitz Jr., *Peacekeeping Fiascoes of the 1990s: Causes, Solutions, and U.S. Interests* (Westport, Conneticut, London: Praeger, 2002); See also Roland Paris, *At War's End: Building Peace After Civil Conflict* (Cambridge, New York: Cambridge University Press, 2004.

15 United Nations, *Charter of the United Nations*, preamble, http://www.un.org/aboutun/charter/ (accessed April 2, 2007)

16 United Nations, *Charter of the United Nations*, chapter VI, Article 33, http://www.un.org/aboutun/charter/ (accessed April 2, 2007)

17 "Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations." United Nations, *Charter of the United Nations*, chapter VII, Article 42, http://www.un.org/aboutun/charter/ (accessed April 2, 2007)

internal affairs. However, Article 39 allows the Security Council to interpret acts of domestic violence as an affair of international interest.[18]

The means to contain different kinds of conflicts were *peacekeeping missions*. Peacekeeping missions are not addressed in the UN Charter. The concept of peacekeeping was developed by the second UN Secretary General, Dag Hammarskjöld. Traditional peacekeeping missions were observer missions designed to contain inter-state conflict. Observer missions consisted of unarmed observers or lightly armed military personnel ("blue helmets") with tasks such as the observation of ceasefires or the separation of forces. These peacekeepers were considered as a neutral third party that would act impartially and use force only in self-defense. According to that concept, peacekeepers were only deployed after a ceasefire and with the prior consent of all parties to the conflict. The aim of this kind of operation was to prevent renewed fighting by separating the parties and to give "time and breathing space for diplomatic efforts to address the underlying causes of [the] conflict."[19] The latter goal was often not reached since observer missions, in fact, could only keep a fragile peace but could not contribute to the solution of the root causes of the conflict. Open-ended missions such as those in Cyprus or Lebanon were the consequence.

With the end of the Cold War, the Security Council established new, and more complex, what Ghali called *multifunctional peace building operations* with stronger non-military components for economic reconstruction, refugee return, institution building, etc. The goal was much more ambitious: it was to play a more active role in bringing about lasting, sustainable peace.[20] The Security Council now authorized peace operations based on the former peacekeeping principles, also for intra-state conflict, without a ceasefire or the consent of the warring parties, such as found in Rwanda, Somalia and Bosnia. The

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[18] "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression…."United Nations, *Charter of the United Nations*, chapter VII, Article 39, http://www.un.org/aboutun/charter/ (accessed April 2, 2007)

[19] United Nations, *Peacekeeping: Meeting New Challenges*, 4.

[20] Hillen, 139; Boutros Boutros-Ghali, "An Agenda for Peace. Preventive diplomacy, peacemaking and peacekeeping: Report of the Secretary-General," June 17, 1992." http://www.un.org/docs/SG/agpeace.html, (accessed April 2, 2007); Boutros Boutros-Ghali, "Supplement to An Agenda for Peace: Position Paper of the Secretary-General," 3 January 1995. http://www.un.org/Docs/SG/agsupp.html, (accessed March 19, 2007).

gap between the mandates and the reality on the ground resulted in the failure of all three missions and much discussion about "mission creep." These failures, in turn, led to a fundamental reform of the peacekeeping concept. The main questions were how the challenges of intra-state conflicts could be met: how and when to intervene to avert gross violations of human rights, leading inter alia to streams of refugees, and ethnic cleansing, and potential horizontal escalation (spill-over) in the regional neighborhood.[21]

Intra-state conflicts, which often have an ethnic dimension, require another quality of operations. It is no longer sufficient, and in most cases not even possible, to separate warring parties along agreed zones of separation, since in an intra-state conflict, usually there are no clear dividing lines.[22] Instead, there often is a patchwork of state and non-state actors in the conflict (often of different ethnicities, religions or cultures) spread all over the country—with changing majorities from one area to another. The main characteristics of this type of conflict are the fragmentation of the warring parties and massive violations of international law, expressed foremost in indescribable atrocities towards and among the civilian population. The major lessons of these conflicts in the 1990s were that to contribute efficiently to sustainable peace in intra-state conflicts required a broad spectrum of military and non-military means in order to re-establish political and economic stability and for addressing the roots of the conflict.[23]

To date, there are no generally shared definitions of the various types of peace operations. However, the UN presently distinguishes three major types of peace operations, depending on the state of conflict, the purposes, and the mission goal: peacemaking, peacekeeping and peace building. However, even these terms are not defined clearly, since peacekeeping and peace building are defined in similar, partly overlapping descriptions and peacemaking is not clearly separated from peace enforcement. Peace building takes place in the post-conflict phase, which means after war-fighting has stopped and a settlement has taken place. It aims at establishing "the foundations of peace" in a broad mission spectrum: "reintegrating former combatants into

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[21] United Nations, *Peacekeeping: Meeting New Challenges*, 5.

[22] Ibid., 1.

[23] Ibid., 5-6.

civilian society, providing technical assistance for democratic development and promoting conflict resolution and reconciliation techniques."[24] Thomas M. Franck calls these multifunctional missions "full-service operations."[25] Boutros Boutros-Ghali in his "Agenda for Peace" also stresses the importance of a comprehensive approach:

> When conflict breaks out, mutually reinforcing efforts at peacemaking and peace-keeping come into play. Once these have achieved their objectives, only sustained, cooperative work to deal with underlying economic, social, cultural and humanitarian problems can place an achieved peace on a durable foundation. Preventive diplomacy is to avoid a crisis; post-conflict peace-building is to prevent a recurrence.…
>
> There is a new requirement for technical assistance which the United Nations has an obligation to develop and provide when requested: support for the *transformation of deficient national structures and capabilities*, and for the *strengthening of new democratic institutions*. The authority of the United Nations system to act in this field would rest on the consensus that *social peace is as important as strategic or political peace. There is an obvious connection between democratic practices— such as the rule of law and transparency in decision-making—and the achievement of true peace and security in any new and stable political order.*[26]

No matter how detailed the definition, basically, the aim of post-conflict peace building is to create conditions for a stable peace.[27] Ironically, after the war is before a war in many instances. As long as the underlying causes of a conflict are not solved, new violence may arise. In practice, once and again, new violence emerges after long lasting peace operations have taken place because the root causes of a conflict were not removed or even addressed. Peace remains fragile and breaks down once it is seriously challenged again.[28] A first and important aim is to stabilize fragile post-conflict situations as early as

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[24] United Nations, *Peacekeeping: Meeting New Challenges*, 1.

[25] Thomas M. Franck, "A Holistic Approach to Building Peace," in Olara A. Otunnu and Michael W. Doyle, *Peacemaking and Peacekeeping for the New Century* (Lanham, New York, Boulder, Oxford: Rowman and Littlefield, 1998),276-277.

26 Boutros-Ghali, "An Agenda for Peace. Preventive diplomacy, peacemaking and peacekeeping: Report of the Secretary-General, June 17, 1992." http://www.un.org/docs/SG/agpeace.html, (accessed April 2, 2007) (Highlighted by the author).

[27] For a broad theoretical discussion of how to promote "stable peace" see Kenneth E. Boulding, *Stable Peace* (Austin & London: University of Texas Press, 1978).

[28] Rafael Biermann, *Lehrjahre im Kosovo: Das Scheitern der internationalen Krisenprävention vor Kriegsausbruch* (Paderborn: Ferdinand Schöningh, 2006), 35.

possible and to prevent new eruptions of violence. Afterwards, other activities gain importance. Various actors contribute to the aim of a stable peace with a broad range of activities ranging from demobilization and reconstructing the economy to temporary third party governance of an entire country (protectorates). The most important question once the fighting stops is how to maintain the peace on a long-term basis. The desired end-state of post-conflict peace building operations thus is "to create conditions that will allow peace to endure long after the departure of the peace builders."[29]

This is a difficult and complex task as the stabilization process takes place in an unstable environment where many challenges have to be dealt with concomitantly right from the beginning. These challenges comprise international as well as domestic factors. Both have to be taken into consideration at the earliest stages of the planning for peace operations. But planning depends on a definition of goals. Stable peace is too abstract a guideline. Conditions of stable peace have to be determined. Many scholars have analyzed and evaluated specific operations towards that aim.[30]

The term "conditions" for stable peace, instead of "building bricks for" or "path to" stable peace seems to be the most appropriate, because, in the literature, there is neither a shared set of conditions nor an agreed sequencing. Apart from the shared view that a relatively stable security environment is a prerequisite for progress in other areas like reconstruction, opinions differ about which steps to prioritize and how to sequence them. In other words: We know what the house is supposed to look like and we know that security is the foundation, but we have different construction plans for the rest of the house. Therefore, the following discussion of conditions leading to stable peace after conflict can only be a first approximation of a complex topic.

Post-conflict peace building is a multidimensional process that comprises both physical and social reconstruction. As post-conflict peace building operations take place after the official termination of violence, a conflict settlement between the former warring parties, often mediated by third parties, can be regarded as the first step towards

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[29] Paris, "Peacebuilding and the Limits of Liberal Internationalism," 54-59.

[30] See for example Ramesh Thakur and Albrecht Schnabel, (eds.), *United Nations peacekeeping operations: Ad hoc missions, permanent engagement* (Tokyo, New York, Paris: United Nations University Press, 2001).

the aim of a stable peace. In particular, the design of this settlement, such as a peace treaty, is a crucial condition for the promotion of peace. One does not need to refer to the "Versailles Peace Treaty" to underline that revisionism can become a prime cause of renewed violence in the future. Ideally, a treaty that is seen by all sides as legitimate and kept in good faith is a key to successful peace building. When one of the parties is coerced into signing a formal peace treaty, this is a bad starting point for the development of the peace process in the long run. Unfortunately, war mostly ends with victory and defeat and a new power balance that obliges one party to accept what it did not aim for earlier. Promoting acceptability thus becomes a primary means of peace building.

Once a post-conflict peace operation has started, the highest priority needs to be given to the establishment of a secure environment. A stable security situation has turned out to be a prerequisite for progress in every domain. Delays in deployment and the subsequent breakdown of internal order open up a breathing space for spoilers. Internal stabilization is often not possible without external help. Consequently, a number of scholars examine the role of the international community in post-conflict situations. Saadia Touval and I. William Zartman deal with the right timing for third party involvement. They stress that intervention and mediation efforts are more likely to succeed when the warring parties have reached the stage of a "mutually hurting stalemate," defined as the time "when one side realizes that it is unable to achieve its aims, resolve the problem, or win the conflict by itself; the stalemate is completed when the other side reaches a similar conclusion."[31] The significance of timing is undisputed, but the definition of the "right moment" remains controversial.[32]

Stephen John Stedman points out that the vision and the capacity of international interveners to keep the peace must be adapted to the implementation environment. Ideally, the vision is shared throughout the international community. Strategy and sequencing, combined with the appropriate provision of troops and resources—based on

[31] Saadia Touval and I. William Zartman, "International Mediation in the Post-Cold War Era," in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict*, (Washington, D.C.: US Institute of Peace, 2001), 434.

[32] See Christer Joenssen, "Diplomacy, Bargaining and Negotiation," in *Handbook of International Relations*, edited by Walter Carlsnaes, Thomas Risse and Beth A. Simmons, (London et al.: SAGE, 2002) 225-226.

a broad analysis of the specific post-conflict situation—determine the outcome.[33] Fen Osler Hampson supports that argumentation. For Hampson, a strong commitment of the third party, he calls it "staying power," coupled with sufficient resources and moderate expectations about what is achievable, is the key to success.[34] A sufficient provision of strategy and resources is only granted when "great or regional powers" have an interest in stabilizing the conflict.[35] Thus, the involvement and the contribution of the *willing and capable* are a desired condition for operations strong enough to promote the peace process.

In addition, third party activities in post-conflict situations become more efficient and more effective if they are streamlined, or, at least, coordinated. But, as Roy Lickider observes, the international community is no "single actor, with common goals and strategies."[36] In large, multifunctional peace building operations a multitude of states and international governmental and non-governmental organizations is engaged, forming an action-set of close inter-institutional cooperation and rivalry. When international actors are either divided regarding the right strategy "or do not fully support an operation, would-be spoilers can take advantage of international splits to attack the peace process."[37]

It is particularly important — and often makes the difference between success and failure—during the demobilization phase that third parties deter "any party from taking advantage of their former adversary's vulnerability."[38] Civil wars, especially, are unlikely to end unless third parties can protect the former belligerents in the post-conflict period.[39]

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[33] Stephen John Stedman, "International Implementation of Peace Agreements in Civil Wars: Findings from a A Study of Sixteen Cases," in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict* (Washington, D.C.: US Institute of Peace, 2001), 738.

[34] Fen Osler Hampson, "The Role of third Parties in Ending Violent Conflict" in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict* (Washington, D.C.: US Institute of Peace, 2001), 401.

[35] Stedman, 744.

[36] Lickider, Roy, "Obstacles to Peace Settlements," in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict* (Washington, D.C.: US Institute of Peace, 2001), 714.

[37] Stedman, 744.

[38] Stedman, 746.

[39] Barbara F. Walter, "Designing Transitions from Civil War: Demobilization, Democratization, and Commitments to Peace," *International Security,* Vol. 24, No 1. (1999): 154.

Once the violence has stopped, it is important that the former warring parties learn and pursue non-violent conflict resolution processes. Such processes often depend on effective and legitimate institutions. Crocker stresses the challenge to create "a stable, functioning government, society, and culture in which conflicts are settled through negotiation rather than through violence" in the aftermath of a conflict settlement.[40] Institution, state and nation building interact and build on one another. This includes the (re-)establishment of a functioning legal system. It needs to be so much trusted that citizens do not perceive a need to resort to self-help. And it has to contribute to address past wrongdoing in a way that promotes reconciliation between victims and perpetrators alike. Cohen argues that "justice and the rule of law are [the] cornerstones upon which a sustainable peace is built."[41]

Daniel Yergin and Joseph Stanislaw point out that "meeting the challenge of nation-building mean[s] more than creating political institutions. It also require[s] the development of a modern economy."[42] Nils Petter Gleditsch also stresses that economic development is an important factor towards peace, since "wealth is negatively associated with armed conflict" and can even be regarded "as a general deterrent" to participating in violent acts. Furthermore, there is a widely, yet not universally shared belief that "trade seems to promote peaceful relations"[43] and that "moving from poverty to wealth is probably the most effective means of improving human security."[44] Where peace building does not lead to socio-economic recovery and third-party intervention does not lead to the improvement of living conditions, peace building efforts become

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[40] Chester A. Crocker, Introduction to *Turbulent Peace. The Challenges of Managing International Conflict,* in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict* (Washington, D.C.: US Institute of Peace, 2001), xxi-xxii.

[41] Craig Cohen, "Measuring Progress in Stabilization and Reconstruction." *United States Institute for Peace*, *Stabilization and Reconstruction Series No. 1* (March 2006), 6. http://www.usip.org/pubs/specialreports/srs/srs1.html, (accessed April 1, 2007).

[42] Daniel Yergin and Joseph Stanislaw, *The Commanding Heights: The Battle for the World Economy* (New York: Touchstone, 2002), 50.

[43] Gleditsch, Nils Petter*,* "Environmental Change, Security, and Conflict," in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict* (Washington, D.C.: US Institute of Peace, 2001), 60.

[44] Gleditsch, 64.

discredited, receptivity for hate speech and demagogy increases, and radicalization and renewed violence cannot be ruled out.

However, institution-building is not enough for the creation of a stable peace, neither in the political or economic realm. The spread of peaceful ways for conflict resolution needs to be promoted top-down and bottom-up alike. This includes a change of political culture, e.g. in terms of compromising or accepting electoral defeats and opposition rights, so that institution building creates more than "hollow facades." The bottom-up approach, often done by NGOs, promotes the emergence of civil societies which support the peace process. They "help to sustain peace agreements by working at the grassroots level to legitimize peace and make it more than an elite concern." Local organizations "can address key issues such as reconciliation, justice, and human rights" and thereby help to remove the root causes of a recently terminated conflict.[45]

The observation of human rights and the protection of minorities are crucial to winning peace. Among the most important indicators of "positive peace" are "the promotion of human rights and the establishment of institutions capable of advocating and protecting human rights [which] are desirable for societies emerging from war."[46] Increasingly, "international norms on democratic forms of government [are regarded] as a fundamental human right."[47]

All parties to the conflict, majorities and minorities alike, need to be included in these multidimensional reconstruction processes, and in the building of a more peaceful society. Local ownership and power-sharing are equally important factors in this regard. There is a need to put "local stakeholders—including those who have been the victims of war as well as those who have been the perpetrators of war—at the center of external support for rebuilding."[48]

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[45] Stedman, 750.

[46] Ibid., 739-748.

[47] Timothy D. Sisk, *Powersharing and International Mediation in Ethnic Conflicts* (Washington D.C.: United States Institute of Peace Press, 1996), 2-3.

[48] Nicole Ball, "The Challenge of Rebuilding War-Torn Societies," in Crocker, Chester A. et al. *Turbulent Peace. The Challenges of Managing International Conflict* (Washington, D.C.: US Institute of Peace, 2001), 733.

Furthermore, it is not enough to concentrate on purely physical or material reconstruction processes. Especially in internal conflicts, in divided societies where identity conflicts prevail, reconciliation and "social reconstruction" are even more important to winning the peace.[49]

No matter what strategy for winning the peace is applied, building a sustainable, a stable peace is always a highly complex, costly and time-consuming project, with manifold risks of failure: "real peace takes time; building national capacities takes time; rebuilding takes time."[50] This runs counter to election cycles, legislative periods, media attention and the short-term ebb and flow of politics in democracies.

The present study acknowledges the importance of these factors. However, this study argues that in the long-term perspective of a stable peace, a profound peaceful change of political culture is important and that such a societal transformation in post-conflict situations, which addresses the root causes of conflicts in the sense of structural prevention, is possible within a norm diffusion process.

## B.    NORM DIFFUSION

The term *norm* is used in a variety of research fields, usually as a synonym for a specific standard. In the social sciences and in this thesis, norms are understood as social norms, defined as "shared [or collective] expectations about the [standard of] appropriate behavior held by a collectivity of actors" with a given identity.[51] According to their function, three major categories exist: regulative, constitutive, and evaluative or prescriptive norms. Regulative norms "order and constrain behavior; constitutive norms...create new actors, interests, or categories of action; evaluative or prescriptive norms" imply what ought to be, a "shared moral assessment." Norms involve standards

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[49] John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington D.C.: United States Institute of Peace press, 2004), 149-150.

[50] United Nations "Peacekeeping: Meeting New Challenges," 9. http://www.un.org/Dpts/dpko/dpko/faq/q&a.pdf (accessed December 3, 2006)

[51] Jeffrey T. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," *International Studies Quarterly*, 43 (1999): 84; Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), 5; Finnemore and Sikkink, "International Norm Dynamics and Political Change," International Organization, 52 no. 2 (1996): 891.

of appropriateness. Yet, what is appropriate or not depends on judgments within societal context. Conforming or deviating behaviors usually result in different reactions. "Norm-breaking behavior...generates disapproval or stigma and norm conforming behavior...produces praise, or, in the case of a highly internalized norm, because it is so taken for granted,... no reaction whatsoever."[52]

A body of norms defines the identity of a particular society. "Norms thus either define (or constitute) identities or prescribe (or regulate) behavior, or they do both."[53] Since societies continually develop, norms are subject to change. Behavior or choices that are considered as appropriate today may not have been considered as appropriate in the past, in the same society, or still may be considered as inappropriate in another society. Also, one can assume an ongoing struggle of norm competition both at the domestic and at the international level.[54] Societies interact and through this interaction norms spread. A standard definition for that spread, *norm diffusion*, is the "transfer or transmission of objects, processes, ideas, and information from one population or region to another."[55]

Norm diffusion is of major research interest in IR theory, especially in constructivism.[56] According to the constructivist view "reality is socially constructed by cognitive structures that give meaning to the material world."[57] Constructivists have researched how norms and social context influence social features of political life, such as political culture and identity. Research suggests that norms have a significant influence on actor identities, perceptions, decision-making and implementation.[58] Norms produce social order and stability through "shared ideas, expectations, and beliefs about

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[52] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 891-892.

[53] Katzenstein, 5.

[54] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 893.

[55] Cited from P. Hugill and D. Bruce Dickson, Eds. *The Transfer and Transformation of Ideas and Material Culture* (College Station, Texas: Texas A&M University Press, 1988), in Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," 86.

[56] See for example Jeffey T. Checkel, "Social Construction and Integration," *Journal of European Public Policy 6,* no. 4 (1999): 545-560.

[57] Emanuel Adler, "Seizing the Middle Ground: Constructivism in World Politics," *European Journal of InternationalRelations*, no. 3 (1997): 319.

[58] Martha Finnemore. "Norms, Culture, and World's Politics: Insights from Sociology's Institutionalism." *International Organization* 50 no. 2 (1996): 325.

appropriate behavior." At the same time, norms contribute to a world in flux since "idea shifts and norm shifts are," according to constructivists, "the main vehicles for system transformation."[59] International norms affect domestic norms and promote change of political culture and identity.[60]

Norm diffusion, as a form of international socialization, has been studied in the context of the different "waves of democracy," the worldwide transitions to democracy especially after the end of the Cold War,[61] as well as in "the spread of liberal economic ideas and policies throughout the world."[62] The role of international norms and norm diffusion has also been studied in the context of the enlargement processes of International Organizations (IOs) such as NATO and the EU.[63]

In general, norm diffusion can be regarded as a permanent process that takes place both actively and passively, intentionally and unintentionally, promoted by a variety of actors in the domestic and in the international arena. For the purpose of this study, the focus of interest lies in intentional diffusion. How successfully and how quickly norms can be diffused depends on different factors which either facilitate or hamper the process.

Finnemore and Sikkink have researched how norms (like the right of humanitarian intervention, diplomatic immunity or the principle of self-determination) gain influence in international politics. They argue that the influence of international norms on domestic norms increases in parallel to a norm's "life cycle." In their model, a norm evolves in a three stage "life cycle," which actually is less a cycle than a life course.

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[59] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 894.

[60] See among others Katzenstein, 23-24; Audie Klotz, *Norms in International Relations: The Struggle Against Apartheid* (Ithaca: Cornell University Press, 1995); Andrew P. Cortell and James W. Davis Jr., "How Do International Institutions Matter? The Domestic Impact of International Rules and Norms," *International Studies Quarterly* 40 (1996), 454-478.

[61] Harvey Starr, "Democratic Dominoes. Diffusion Approaches to the Spread of Democracy in the International System," *Journal of Conflict Resolution* 35 no. 2 (1991): 357.

[62] Beth Simmons and Zachary Elkins, "The Globalization of Liberalization: Policy Diffusion in the International Political Economy," *American Political Science Review* 98 no. 1 (2004): 171.

[63] Frank Schimmelfennig, *The EU, NATO and the Integration of Europe: Rules and Rhetoric* (New York: Cambridge University Press, 2003); Frank Schimmelfennig and Ulrich Sedelmeier, eds., *The Europeanization of Central and Eastern Europe* (Ithaca: Cornell University Press, 2005); Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe," *Journal of European Public Policy* 11, no. 4 (August 2004): 661-679.

Each stage is dominated by "different actors, motives, and mechanisms of influence" and by a specific behavioral logic including "issues about the costs of norm-violation or benefits from norm adherence." In theory, the process begins with the emergence of a new norm (norm emergence), a stage where *norm entrepreneurs* try "to convince a critical mass of states (norm leaders) to embrace new norms." The number of *norm followers* increases in the next stage of the process (norm cascade). The motivation to become a norm follower varies. Basically, one can assume "that a combination of pressure for conformity, the desire to enhance international legitimization, and the desire of state leaders to enhance their self-esteem facilitate norm cascades." When about a third of the actors in the international arena have adopted a new norm, it has passed a critical threshold for normative change, the *tipping point*. Finnemore and Sikkink see the process ending with the *internalization* of the norm, when it acquires "a taken-for-granted quality."[64] For them, internalization is not a continuous process of norm acquisition, but the end-state of this process, when a norm is internalized. Figure 1 shows Finnemore and Sikkink's model of a norm's life cycle.

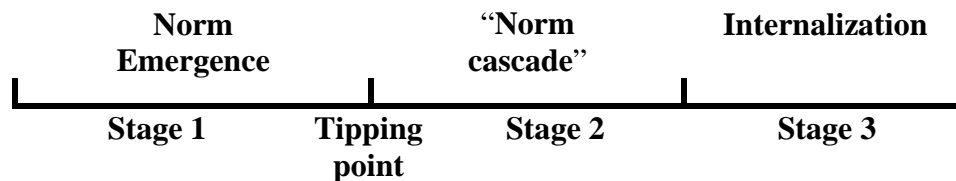| **Norm Emergence** | | **"Norm cascade"** | **Internalization** |
|---|---|---|---|
| **Stage 1** | **Tipping point** | **Stage 2** | **Stage 3** |

Figure 1.    *Norm life cycle*

In practice, not every norm evolves through all three stages. Many norms do not even reach the critical tipping point. Several factors influence the development within each stage. The emergence of new norms can basically be traced back to two elements: "norm entrepreneurs and organizational platforms from which the entrepreneurs act." Norm entrepreneurs are the agents who promote a new norm, often driven by ideational commitment. Norm entrepreneurs construct cognitive frames based on what they regard as "appropriate or desirable behavior in their community" in specific situations. But "new norms never enter a normative vacuum". New norms usually compete with existing

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[64] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 888-896.

norms. Successful "frames resonate with broader public understandings and are adopted as new ways of talking about and understanding issues." Organizational platforms (like international organizations, governments or NGOs) can act as agents of norm diffusion, especially when they have an "advantage of resources and leverage over weak or developing states they seek to convert to their normative convictions."[65]

Norm cascades can be promoted primarily by international socialization. In international politics, socialization is fostered by material and immaterial sanctions and rewards, "sticks and carrots." States comply with new international norms, mainly because of three motivations: legitimization, conformity, and esteem. International legitimization concerns the legitimacy accorded to a norm entrepreneur or organizational platform by a domestic constituency. The assumption is that a norm entrepreneur perceived as legitimate can more easily diffuse his norms, and vice versa. Conformity plays a role insofar as there is a desire to belong to the surrounding social environment. Elites adhere to international norms because "they want others to think well of them,...they want to think well of themselves," and they want to "enhance national esteem."[66]

Other factors are also important for the diffusion of an international norm. The quality of the norm matters as does the reputation of the norm entrepreneur. Desirable norms and norms from actors with a high reputation are more likely to be adopted. [67]

The starting position is important since norm diffusion, as a process, encounters certain conditions in a target society that can be either enabling or obstructing for the adoption of international norms. The domestic situation has a direct influence on the rejection or acceptance of norms.[68] Both enablers and obstacles can evolve as norm-content related or process related. Relevant content-related conditions include the cultural and institutional context within which the norm diffusion takes place. Each society already has its distinct norms, values and belief systems. This body of norms determines

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[65] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 895-900.

[66] Ibid., 903-904.

[67] Ibid., 896-899.

68 Frank Schimmelpfennig, "International Sozialization in the New Europe: Rational Action in an Institutional Environment," *European Journal of International Relations* Vol. 6 no. 1 (2000): 132-134.

which choices and behavior are regarded as appropriate. However, what is regarded as appropriate in one society can differ significantly from appropriate behavior in another society or in the international community. Norm congruence between an international and a domestic norm can be low or high. Checkel calls the congruence of an international norm with a domestic norm *cultural match*, defined as "a situation where the prescriptions embodied in an international norm are convergent with domestic norms, as reflected in discourse, the legal system (constitutions, judicial codes, laws), and bureaucratic agencies (organizational ethos and administrative procedures)."[69] Yet, this match is not a dichotomous condition, meaning that there either is or is not, a cultural match; however, the cultural match can be assessed instead within a spectrum ranging from a positive to a negative match. According to Checkel's model to measure cultural match,

> at one end, there is a positive, ("+") match, which indicates complete congruence between international and domestic norms in a particular issue area. In the middle, one has a null ("0") match, where the domestic arena contains no obvious normative barriers to a particular systemic understanding. At the other end of the spectrum, one has a negative ("-") match—a situation of no congruence between international and domestic norms.[70]

The quality of the cultural match has repercussions on norm diffusion, since it can either hamper or accelerate the process. The greater the "cultural match...between a systemic norm and a target country" is, the faster norms spread and the higher "the probability that international norms will have constitutive effects." On the other hand, the more an international norm differs from a domestic norm, the greater the normative conflict. This normative conflict can prevent or at least slow down the adoption of an international norm. A cultural mismatch usually creates distance and rejection of international normative prescriptions, while a cultural match produces positive resonance. The receptivity of the various domestic actors, especially of political elites, to accept new

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[69] Andrew P. Cortell and James W. Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," *International Studies Review* 2, no.1 (Spring, 2000), 73-76; Jeffrey T. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," 87.

[70] Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," 87.

international norms depends significantly on the cultural match, the existing belief system of the "adopter-society, their experience, norms, values, and intentions."[71]

The cultural match helps to determine the existing normative context of a society, that is, the starting position. If the domestic normative context differs from the international normative context, as is often the case in post-conflict situations, the next question is how normative change can be promoted.

The empowerment of international norms matters. Finnemore and Sikkink stress that the aim "to reconfigure preferences, identity, or social context" requires addressing target societies both rationally and normatively. The ways in which new norms can be empowered have both a cognitive and an affective dimension. The findings suggest that decisions and behavior of political actors are driven by both utility maximizing (cost-benefit) calculations and by norms. Thus, rational choice and constructivist theory can be applied complementarily in the norm diffusion process. "The utilities of actors could be specified as social or ideational as easily as they can be material. By making different assumptions about social relationships and ideational values, rational choice theorists provide interesting insights into the kinds of normative patterns that may develop and be stable." Preferences and choices that result in observable behavior are influenced by both norms and rationality.[72] "Processes of social construction and strategic bargaining are deeply intertwined."[73] People are not only motivated by one or the other. "Rationality cannot be separated from any politically significant episode of normative influence or normative change, just as the normative context conditions any episode of rational choice. [In social construction processes] norms and rationality are thus intimately connected."[74]

Two strategies can be applied that address rationality and normative aspects to make people accept new norms, a *logic of consequence* and/or a *logic of appropriateness*. The first strategy is based on the assumption that norm application can be enhanced through sanctions and incentives ("sticks and carrots"). This strategy is also referred to as

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[71] Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," 86-91.

[72] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 910.

[73] Ibid., 911.

*political conditionality*. Norm compliance produces benefits for the norm adopter, norm non-compliance invites sanctions.[75] Success of this strategy depends on the credibility of the conditionality and on the result of the balancing of external conditions with domestic adoption costs. The result of this calculation to a large degree determines whether states comply with or deviate from international norms.

Domestic costs of compliance with norms are also affected by the role and the number of veto players.[76] Schimmelpfennig and Sedelmeier hypothesize that "*The likelihood of rule adoption decreases with the number of veto players incurring net adoption costs ... from compliance*."[77]

The requirement to fulfill accession criteria, laid out in the Copenhagen Criteria as a *sine-qua-non* for aspirant countries of the European Union, is a good example of the leverage organizational platforms, like the EU, can exert on domestic transformation. The adherence to human rights, democratic norms, and the rule of law are prerequisites for EU membership. Overall, this nonnegotiable condition for membership enhanced the spread and the implementation of democratic norms in the aspiring countries of Central and Eastern Europe significantly.[78] However, where domestic adoption costs are too high, states do not comply, such as happened in Slovakia.[79]

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[74] Finnemore and Sikkink, "International Norm Dynamics and Political Change, 888.

[75] Frank Schimmelpfennig, Stefan Engert, and Heiko Knobel, "The Impact of EU Political Conditionality," in *The Europeanization of Central and Eastern Europe*, ed. Frank Schimmelpfennig and Ulrich Sedelmeier (Ithaca and London: Cornell University Press, 2005), 29-30.

[76] George Tsebelis, *Veto Players: How Political Institutions Work* (Princeton: Princeton University Press, 2002).

[77] Frank Schimmelfennig and Ulrich Seldelmeier, "Introduction: Conceptualizing the Europeanization of Central and Eastern Europe," in *The Europeanization of Central and Eastern Europe*, ed. Frank Schimmelpfennig and Ulrich Sedelmeier (Ithaca and London: Cornell University Press, 2005), 16-17.

[78] Frank Schimmelpfennig, Stefan Engert, and Heiko Knobel, "The Impact of EU Political Conditionality," in *The Europeanization of Central and Eastern Europe*, ed. Frank Schimmelpfennig and Ulrich Sedelmeier, (Ithaca and London: Cornell University Press, 2005), 30; Grabbe, Heather. "How does Europeanization affect CEE governance? Conditionality, diffusion and diversity." *Journal of European Public Policy*, 8 (6) (2000): 1013-1031; Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe," 661-679.

[79] Frank Schimmelfennig and Ulrich Sedelmeier, "Conclusions," in *The Europeanization of Central and Eastern Europe*, ed. Frank Schimmelpfennig and Ulrich Sedelmeier (Ithaca and London: Cornell University Press, 2005), 213.

The logic of appropriateness is a strategy for international socialization. The strategy aims at voluntary rule-following. Inducement, "persuasion (rather than coercion) and "complex" learning (rather than behavioral adaptation)" are its primary means.[80] In practice, both strategies might be applied in sequence or even in tandem to maximize effectiveness. The target groups include both the political elites and others in a potential adopter society.

There are basically two ways to achieve norm empowerment in target societies, a "bottom-up" and a "top-down" approach. In the bottom-up approach, domestic agents promote norm change and try to influence political decision makers to change state policy. In this approach, political elites are not the first to internalize new norms. Decision makers might comply with international norms to avoid further vertical political pressure and/or to gain support from their constituencies. In addition to the pressure from below, elites are also exposed to horizontal pressure from international actors, often in parallel or coordinated (transnational coalition building) efforts. In contrast, according to the "top-down" approach first the elites adopt a norm, mainly through international bargaining. Since norm adoption and norm implementation require governmental decisions, the "top-down" approach focuses on the primary target group, produces quicker results, and therefore seems to be more effective. However, both horizontal and vertical pressure might produce resistance against norm internalization (psychological reaction, acting out) and delay or even prevent norm implementation. The long-term goal is that elites not just reluctantly accept pro forma norms imposed on them, but that they fully internalize new norms and values that guide their decision-making without the need for pressure or external incentive. Internalization is key to subsequent norm implementation.[81]

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[80] Frank Schimmelfennig and Ulrich Sedelmeier, "Introduction: Conceptualizing the Europeanization of Central and Eastern Europe," in *The Europeanization of Central and Eastern Europe*, ed. Frank Schimmelpfennig and Ulrich Sedelmeier (Ithaca and London: Cornell University Press, 2005), 8-9.

[81] Checkel, "Norms, Institutions, and National Identity in Contemporary Europe,"88- 90. Schimmelfennig and Seldelmeier, "Introduction: Conceptualizing the Europeanization of Central and Eastern Europe," 12.

Many scholars argue that the domestic political structure is an additional factor influencing which approach produces the better result.[82] Checkel distinguishes between four types of domestic political structure, *Liberal*, *Corporatist*, *Statist*, and *State-Above-Society* and related mechanisms that produce the best result in norm empowerment. In states with a Liberal structure, policy is influenced "more from the bottom up than from the top down" and elites are more constrained. Therefore, the buildup of "societal pressure on elites" would be the preferred mechanism for such a society. Just the opposite approach works in a State-Above-Society where the state quasi controls society. "Elite learning" promises norm empowerment in such a society. The other possibilities both require a mix of the two approaches, but with different priorities. In the Corporatist structure, elites are more influential for normative change than in the Liberal case, but the different policy networks between state and society are still most important. In Statist states, elites are less influenced by other groups. Figure 2 summarizes Checkel's argument.[83]

| | *Liberal* | *Corporatist* | *Statist* | *State-Above-Society* |
|---|---|---|---|---|
| Domestic Mechanisms Empowering International Norms | Societal Pressure on Elites | Societal Pressure on Elites (primary) and Elite Learning (secondary) | Elite Learning (primary) and Societal Pressure on Elites (secondary) | Elite Learning |

Figure 2.        *Domestic political structure*[84]

The domestic context also determines how the salience and the legitimacy of an international norm are perceived within the adopter society. Salient norms quasi create an obligation for social actors to comply, any violation, "engender[s] regret or a feeling that the deviation or violation requires justification."[85]

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82 Cortell and Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," 66-67; Cortell and Davis, "How do international Institutions Matter? The Domestic Impact of International Rules and Norms," 541-478.

83 Checkel, "Norms, Institutions, and National Identity in Contemporary Europe,"89- 90.

84 Ibid., 90.

85 Cortell and Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," 66-69.

So far, norm diffusion has not been researched in the context of democratization processes in post-conflict situations. Closing this gap in the existing scholarly literature will be one of the major tasks of this thesis. This will contribute to more closely connecting IR theory and the conflict resolution field.

## C.     NORM DIFFUSION IN POST-CONFLICT PEACE BUILDING

Contemporary norm research has focused on how ideas can become reality and are translated into policies.[86] Today, norms of democratic governance are equated within the international community with good governance. And even though the many peacebuilders are not unitary actors, they come predominantly from Western elites and share similar normative beliefs that they try to implant in war-torn societies. The particular characteristics of post-conflict situations offer a unique opportunity for international socialization and for the diffusion of democratic norms. Peace building agencies can be *transmission belts*, passing on good governance norms "from the international domain directly into the internal affairs of war-shattered states."[87]

The main characteristics of post-conflict situations are social disorientation, physical destruction, a difficult supply situation and a breakdown of public order. The latter three factors usually produce a need for external support and a short or long-term dependency on the international community. The degree of dependency mainly depends on the scale and the duration of the conflict as well as on its effects. Sometimes literally everything is in shambles, and states need to be rebuilt from scratch. The overall well-being and standard of living in war-torn societies in general is much lower than before the war. No matter how deep, a conflict has left its marks on a country, and a post-conflict situation leaves a large scope for action by the international community. In that situation, one can assume a significant power asymmetry between the international community and the target society. The power-dependence relationship is exceptionally one-sided and offers a good opportunity to apply the principles of conditionality since the target society has to accept conditions in exchange for external support. During that

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[86] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 916.

[87] Paris, "Broadening the Study of Peace Operations," 36.

support, the presence of the international community in the target society, in the form of various actors engaged in peace building activities, is typically high. Often, the partial or complete breakdown of state institutions in the post-conflict phase creates an administration gap that is often, at least temporarily, filled with a civil transitional administration like UNMIK in Kosovo or OHR in Bosnia.[88] As long as there is no legitimate and accepted government within a state, "international governance may regulate the outward behavior of international actors such as states and, in addition, influence the behavior of actors *within* these states."[89] This form of direct governmental control through international agencies, which can lead to quasi-protectorates of long duration, takes place only in post-conflict situations and offers a unique opportunity to introduce and to implement new norms.

The other condition in a post-conflict society, social disorientation, is prevalent especially in a defeated party to a conflict. Frequently, political and social changes follow defeat. But also refugees and traumatized victims, e.g., of ethnic cleansing, experience profound social disorientation.[90] According to Eckstein, "rapid, large-scale contextual changes are personally disorienting and culturally disruptive" and war as a considerable contextual change can lead to social discontinuity and rapid reorientation.[91] Finnemore and Sikkinkh also hypothesize that states which are in domestic turmoil or insecure about their international position will adopt new norms more readily. When people have lost trust in their leadership and political system, they are open for change and new ideas. "Ideas and norms most associated with the losing side of a war or perceived to have caused...failure should be at particular risk of being discredited, opening the field for alternatives." When structure, order and stability are lost or shaken—as in a fragile post-conflict situation—the opportunity to spread new norms is greatest, because wars "can

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[88] The Challenges Project, *Challenges of Peace Operations: Into the 21st Century-Concluding Report 1997-2002* (Stockholm: Elanders Gotab, 2002), 266.

[89] Paris, "Broadening the Study of Peace Operations," 41.

[90] For a broader discussion of what causes cultural change see Harry Eckstein, "A Culturalist Theory of Political Change," *American Political Science Review*. 82 3(1998): 789-804.

[91] Eckstein, 796.

lead to a search for new ideas and norms."[92] Failure motivates complex learning, much more than success which is an insight that is captured in the learning through failure concept.[93]

Even though peace building has often been portrayed as an ideologically neutral effort to assist states in the transition from war to sustained peace, norms play an important role in post-conflict peace building and these efforts are, de facto, not neutral.[94] In practice, post-conflict peace building operations often reshape "domestic and international relations as Western political, economic and social systems" are literally transplanted into other "parts of the world."[95] The "paradigm" of "liberal internationalism," as Roland Paris found out, is the underlying concept of most peace building efforts. The fundamental principle "of this paradigm is the assumption that the surest foundation for peace, both within and between states, is market democracy, that is, a liberal democratic policy and a market-oriented economy."[96]

Current post-conflict peace building operations in different parts of the world share the same basic normative setup "of Western-style liberal market democracy." Common characteristics of the preferred model for transition processes are the promotion of the basic elements of democracy,[97] "free and fair elections, the construction of democratic political institutions, respect for civil liberties, and market-oriented economic reforms." As a result, "several countries[98]...have emerged with new political institutions and policy preferences that replicate...the Western model," in some cases even against

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[92] Finnemore and Sikkinkh, "International Norm Dynamics and Political Change," 909.

[93] See for example Jack S. Levy, "Learning and Foreign Policy: Sweeping a Conceptual Minefield," *International Organization*, Vol. 48, No. 2 (1994): 286.

[94] Paris, "Broadening the Study of Peace Operations," 36; See also: Paris, "Peacebuilding and the Limits of Liberal Internationalism," 35-36.

[95] Patrick H. O'Neil, *Essentials of Comparative Politics*, Second Edition (New York, London: W.W. Norton & Company, 2006), 269.

[96] Paris, "Peacebuilding and the Limits of Liberal Internationalism," 56.

[97] Robert A. Dahl, *On Democracy* (New Haven, London: Yale University Press, 1998), 85.

[98] For example Namibia, El Salvador and Mozambique.

strong concurrent domestic strands.[99] Such shifts underline how "international rules and norms have important effects by way of domestic political processes" especially in post-conflict situations.[100]

These results come about because the most influential international agencies are Western states or international organizations created or strongly influenced by Western states: "The international norms that peacebuilders have actually promoted in war-shattered states have closely mirrored the domestic norms of the industrialized democracies."[101]

The key actors in post conflict peace building today are mostly the EU, NATO, the OSCE and the UN. Furthermore, even "most of the international NGOs...engage[d] in peace building" have the same attitude towards these principles.[102]

Different mechanisms can be identified in post-conflict situations that empower international norms and bring "states into conformity:" *bargaining*, *incentives* and the *use of formal authority*. In practice, these mechanisms are often applied in the following way and sequence: First, "the model of liberal democratic domestic governance" is often promoted "during the negotiation of peace agreements among local belligerents." Bargaining processes through third party mediation offer an excellent opportunity to diffuse norms, especially if "mediation with muscle" is practiced. Second, some "agencies explicitly require local parties to undertake political and economic liberalization policies in exchange for financial and other forms of international assistance." Third, in most cases, international agencies use the opportunity to diffuse their norms, as long as they are in direct control over some aspects of administration. Furthermore, when a post-conflict peace building architecture is established, the personnel of the different international agencies tend to copy the familiar structures and procedures of their home countries and organizations.[103] In the post-conflict situation

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[99] Paris, "Broadening the Study of Peace Operations," 36-37; See also: Paris, "Peacebuilding and the Limits of Liberal Internationalism," 63-73.

[100] Cortell and Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," 68.

[101] Paris, "Broadening the Study of Peace Operations," 38.

[102] Paris, "Peacebuilding and the Limits of Liberal Internationalism," 62.

[103] Paris, "Broadening the Study of Peace Operations," 37.

with its specific features, new political structures can be imposed and/or institutionalized long before the target society has changed its political culture and internalized international norms.[104] The international community can use its leverage to embed an international norm in the constitution or in the legislation of the target society. In the best case, an international norm quickly becomes domestically salient, because a cultural match exists, the norm resonates with domestic norms and numerous energies are "devoted to its reproduction and reinforcement."[105]

International actors promote norm diffusion and empower international norms by incentives or by sanctions. Because the target society often depends on external help, power-dependence relationships favor the international community in its effort to diffuse peaceful and democratic norms. The terminology of "stick and carrot" describes the current diffusion strategy in peace processes most succinctly.[106] For example, "the World Bank...since 1990 linked its financial assistance to political liberalization." The World Bank gives financial assistance only when a democratization process takes place. Both the World Bank and the IMF base their "structural adjustment programs...on the premise that Western models of market economics and democracy are optimal...and mutually reinforcing."[107] It can be assumed that conditionality and issue-linkage have more effect in the close aftermath of a conflict than usual because the international community enjoys greater bargaining leverage.

However, the manner in which norm change is promoted is important, since in the context of an international presence and/or administration different mindsets and cultures often clash. The worst case occurs when a cultural mismatch exists or when international norms are domestically perceived as cultural "imperialism." Both situations are likely to produce resistance against international norms.[108] It takes time to develop mutual trust and a common understanding. How can someone who has always lived in an autocratic

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[104] Eckstein, 798, 802.

[105] Cortell and Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," 73-74.

[106] Finnemore and Sikkink, "International Norm Dynamics and Political Change," 900.

[107] Paris, "Peacebuilding and the Limits of Liberal Internationalism," 62.

[108] Cortell and Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," 74.

regime know what democracy is? How can someone who has always experienced a planned economy understand what a free market is? Particularly in the first stage, the perception of the norm entrepreneur, especially his reputation and thus legitimacy, is crucial. Has the norm entrepreneur been a party to the conflict? What relations did he have to the parties in the past? What can be expected from someone regarded as an infidel or as racially inferior?

Another important part of social reconstruction is to help people to make the mental transition from war to peace, from conflict to cooperation and reconciliation. After long periods of living in war people get used to thinking in friend/enemy-images and in-group-/out-group dichotomies. It becomes hard for them to change and to accept a new situation, even if they had been longing for peace all along. To move from friend/foe-images to cooperation is especially difficult in a divided society.

IR research has in recent years found out that, indeed, democracy promotes peace, but that transition processes as from war to peace, from autocracy to democracy or from central planning to market economy are highly instable and conflict-producing. Thus, "creating a stable market democracy is a tumultuous, conflict-ridden, and lengthy process, particularly in the fragile political environment of a war-shattered state." A principal flaw in the current approach to post-conflict peace building is neglecting that political and economic liberalization has destabilizing side effects which, in the worst case, can have just the opposite effect of what is intended. Both, democracy and capitalism encourage open competition. This is a key characteristic of these concepts. Divided societies in war-shattered states in the immediate post-conflict phase often cannot cope with that competition, because of a lack of institutional structures to resolve internal disputes peacefully.[109]

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[109] Paris, "Peacebuilding and the Limits of Liberal Internationalism," 56-57.

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# III.    CASE STUDIES

## A.    THE WEIMAR REPUBLIC[110]

### 1.    Post-Conflict Situation

Imperial Germany, as one of the aggressor states in the First World War, had fought an offensive campaign mostly outside its own borders. When the war ended in 1918, a large part of the German forces were still on foreign territory in the east and west. Therefore, atypically, for a country that had lost a war, Germany did not have to suffer the otherwise typical consequences of physical war damage and destruction within the country, although fighting in the east with the Poles and the Balts was bitter. Also, allied occupation of interwar Germany was only regional and temporary when compared to the case of 1944-55.[111] Most importantly, the war had radicalized German society via the so called *Entgrenzung des Krieges*, whereby military elites had lost control of the monopoly

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[110] The Chapter on the Weimar Republic is based on the following publications: Dirk Berg-Schlosser, „Entwicklung der Politischen Kultur in der Bundesrepublik Deutschland," *Aus Politik und Zeitgeschichte 7* (1990):30-46; Wilhelm Bleek, „Die Paulskirche in der politischen Ideengeschichte Deutschlands," *Aus Politik und Zeitgeschichte (1998):*28-39; Bracher, Karl Dietrich. „Der erste Demokratieversuch und seine Folgen." *Die politische Meinung 358 (1999):*5-19; Martin Broszat, *Hitler and the Collapse of Weimar Germany* (Oxford: Berg Publishers, 1987); David Childs, *Germany since 1918* (New York, Evanston, San Francisco, London: Harper & Row, 1971); R.T. Clark, *The Fall of the German Republic: A Political Study* (New York: Russel & Russel, 1964); Chris Cook and John Paxton, *European Political Facts: 1848-1918* (New York: Facts on File, 1978); Gordon A. Craig, *The Politics of the Prussian Army:1640-1945* (Oxford: Oxford University Press, 1964); Robert A. Dahl, *On Democracy* (New Haven, London: Yale University Press, 1998); Richard J. Evans, *The Coming of the Third Reich* (London: Penguin Books, 2003); Peter Fritzsche, *Germans into Nazis* (Cambridge, Massachusetts: Harvard University Press, 1998); Manfred Funke, "Aspekte einer Konstellationsanalyse: Das Scheitern der Weimarer Republik," *Die politische Meinung 355 (1999):*81-87; Peter Gay, *Weimar Culture* (New York, Hagerstown, San Francisco, London: Harper & Row, 1968); Martin Greiffenhagen, „Die Bundesrepublik Deutschland 1945 – 1990: Reformen und Defizite der politischen Kultur," *Aus Politik und Zeitgeschichte 1-2 (1991):*16-26; S. William Halperin, *Germany tried Democracy: A Political History of the Reich from 1918 to 1933*, (Hamden, Conneticut, London: Archon Books, 1946); Eberhard Kolb, *The Weimar Republic* (London: Unwin Hyman, 1988); Mark Mazower, *Dark Continent: Europe's Twentieth Century* (New York: Vintage, 1998); Geoffrey P. Megargee, *Inside Hitler's High Command* (Lawrence, Kansas: University Press of Kansas, 2002); E.J. Passant, *A Short History of Germany: 1815 – 1945* (Cambridge: Cambridge University Press, 1959); Detlev J.K. Peukert, *The Weimar Republic*: *The Crisis of Classical Modernity,* translated by Richard Deveson (New York: Hill and Wang, 1991); Norman Stone, *Europe Transformed 1878-1919,* 2nd edition (London: Blackwell Publishing, 1999); Henry Ashby Jr. Turner, *Hitler's Thirty Days to Power* (Basic Books, 1996).

[111] Stone, 271-274.

of war as it became a generalized phenomenon and German society was polarized even to the point of violent extremism in a manner that later proved fateful in Central Europe and beyond. Yet, the end of the war was a time of drastic change and instability for Germany. Woodrow Wilson's requirement to negotiate peace only with representatives of a democratic government had led to the abdication of the German Emperor, the empowerment of the peace party in the Reichstag under Prince Max von Baden and to the formal change of the political system to democracy with Philip Scheidemann's declaration of a Republic on November 9, 1918.[112]

Although Wilson had made the transition to a parliamentary democracy a prerequisite for peace negotiations with the German Reich, the actual negotiations of the peace conditions were conducted without the Central Powers. Nevertheless, the Germans hoped for "Wilsonian peace conditions," a just peace. Nobody was prepared for the actual outcome. The Versailles Treaty in no way reflected Wilson's ideas of "a peace without victors;" instead, the treaty had a punishing and humiliating character. The allied demand that Germany accept the "war guilt" and consequently the full financial responsibility for all damages related to the war was fatal for both the national conscience and economic development.[113] The peace conditions together with the stab in the back legend were perceived as unjust by all German parties,[114] and as a "dictated peace," and quasi unanimously rejected—a perception that was later, especially after World War II, also shared by many in Great Britain and the United States as a major cause of the rise of Hitler and the war.

From the beginning, the new republic had to struggle with a charged domestic political situation of incipient revolt from the left and the right as well as the hostility of the international actors in the wake of the lost war. To bring the forces back home from France and Belgium, to demobilize millions of soldiers, and to integrate them into society and economy was only one challenge faced by the government of Scheidemann and Ebert who early on received the support of the army leadership against the perceived

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112 Halperin, 65-78, 104. Craig, 343. See also Fritzsche, 13-82.

113 Kolb, 30.

114 Bracher, 5.

"Bolshevik threat." Other immediate challenges involved the need to improve a disastrous supply situation caused by shortages and hunger and to resist the many attacks against parliamentary democracy from all quarters. Politically motivated street fights were expressions of the revolutionary mood that prevailed at that time, and the outbreak of civil war seemed an imminent danger.[115]

In face of the need to bring German forces back home and to guarantee internal security, the military was the most important institution for the new government.[116] In the so-called Ebert-Groener-Pact from November 9, 1918, the chancellor accepted that the *Oberste Heeresleitung* (Supreme Command) would "continue its functions until the troops had been brought back to Germany in good order and perfect discipline" in exchange for governmental support to maintain discipline and order in the forces and for continued logistical support. Also, they agreed on a common effort by the officer corps and the new government to prevent Bolshevism.[117] The new republic depended on the old elites and on the existing imperial institutions to cope with the manifold problems. This dependency prevented the democratization of state institutions, of the bureaucracy, of the judiciary, and of the military—a situation that would later prove fatal in the crisis of 1930.

### 2. Cultural Match

The cultural match in the immediate post-conflict phase in Germany can only be assessed as negative ("-"). There was no experience with a multiparty parliamentary democracy in Germany; it had to grow, which, as we today know, leads to instable phases of democratic transition. Even more, the turn to democracy was not a free choice, but a result of defeat and external pressure. Hardly surprising, support for democracy was widely lacking in German society. Instead, the political culture in Weimar Germany was mainly characterized by authoritarianism, militarism and revisionism.

The outbreak of the First World War had been greeted with enthusiasm.

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[115] Peukert, 34.

[116] Childs, 14, 29-30.

[117] Craig, 347-349; Gay, 149.

Expectations were high and interest groups, such as the *Kriegszielmehrheit* (which represented the majority of the Reichstag from 1914 until 1916), and the *Kriegszielbewegung* (which represented economic associations) had set up a list of annexations that Germany would claim after the war. Public opinion, in the belief that Germany had been attacked by Russia, France, and England, and was defending the fatherland, was unaware of the real military development and practically supported the war until the end. Even when it became increasingly clear that Germany could not win the war, the army chiefs continued the war and opposed any attempt for peace negotiations. During the second half of the First World War the Oberste Heeresleitung under Hindenburg and Ludendorff, with the continued trust and support of the Emperor who repeatedly decided in favor of the military and against civilian politicians, de facto had erected a military dictatorship. The position of the Oberste Heeresleitung was so strong that the German Chancellor, Bethmann Hollweg and other politicians who opposed a continuation of the war effort, had to resign.[118]

Only after the military initiative passed completely to the Western Powers, Ludendorff insisted on a quick end to the war. Wilson's requirement to negotiate peace only with representatives of a democratic government led to the abdication of the German Emperor and to the formal transformation from a constitutional monarchy to a parliamentary democracy. The political parties that had voted for a "peace of understanding" and passed the so called Peace Resolution in the Reichstag on July 19, 1917, the *Deutsche Zentrumspartei* (Centre Party) and the *Sozialdemokratische Partei Deutschlands* (German Social Democratic Party) became the founding members of Weimar. Although the Peace Resolution had little effect on the events that followed, political agitators could later use it as evidence for the lacking support of the democratic parties for the troops in the field and a divided homefront that caused the German military defeat, a blueprint for the *Dolchstosslegende* (stab in the back myth).[119]

Democracy had adverse starting conditions in Weimar. An anti-democratic attitude prevailed in the inherited imperial institutions, foremost in the military and in the

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118 Craig, 299-328.

119 Ibid., 329-343.

administration.[120] In its founding years, that is until 1924, the new republic repeatedly had to repel attacks from the right and from the left. The Kapp-Putsch in March 1920 failed relatively quickly because of a joint action, or more precisely, joint inaction of workers and state officials, both adopting a "wait-and see-attitude," and refusing to accept Wolfgang Kapp as a new authority. A general strike and passive resistance soon caused the rebellious leadership triumvirate of Wolfgang Kapp, General von Lüttwitz, and General Ludendorff to give up their project. In spite of this happy ending for the republic, the putsch left a strange residue. The Reichswehr (especially Hans von Seeckt) had de facto betrayed the Ebert-Groener-Pact by not supporting the government against the rebellion from the right with the notorious saying "Reichswehr schiesst nicht auf Reichswehr" (The Reichswehr does not shoot on the Reichswehr). Against the left, the military acted without hesitation as the Reichswehr and *Freikorps* (Free Corps) suppressions of the Communist riots in the Ruhr area demonstrated in 1919 through 1921.[121]

However, the government never undertook any steps for the democratization of the military, and the military sealed itself off from the proliferation of violence and armed groupings via a re-professionalization that was anti-democratic as well. More than in the Wilhelmine era, the Reichswehr maintained its special, seemingly 'apolitical status,' reformulated by Seeckt's credo, and remained "a state within the state," mostly lacking parliamentary control. The latter was hobbled by a lack of consensus on national defense, which was aggravated by the circumstances of peace in the early years. The Reichswehr was ready to defend Germany, especially in the East against Poland, but Seeckt saw democratic government as a passing phenomenon and sought to distance himself from the same, while embarking on his own policies.[122] Three years later, Ludendorff struck again with the aid of the brown shirts. On November 9, 1923, he and Adolf Hitler tried to emulate the Fascist March on Rome. This insurgency also ended quickly at a time when Seeckt sought to inch towards military dictatorship amid the inflationary crisis of late-

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120 Berg-Schlosser, 36.

121 Kolb, 36-38.

122 Ibid., 38.

1923. This time, however, the Bavarian paramilitary police aborted the attempt with the use of force and arrested many of the insurgents.[123]

Two lessons can be drawn from these events of the founding years of the republic by those interested in the general problem of state building and post-conflict reconstruction. One lesson was that the democratically elected government could not be sure of Reichswehr support against putsches from the right. Another lesson was that the legal system seemed to apply different standards against perpetrators from the right and from the left for crimes against the democratic order, and it generally favored the right.[124] The public service and its *Beamte* (civil servants of middle class rank) were not loyal to the Weimar Republic, although the constitution guaranteed such public employees a privileged status in society.[125]

However, not only in its institutions, but in general, the political culture in interwar Germany was at its very best ambivalent or even hostile to democracy. Even though the Emperor had abdicated, there remained a considerable number of monarchists, especially among the middle class (bourgeoisie), that is, representatives of the estates and class that had long tried to suppress pluralism and democracy in Germany. This group was open to ideas that resembled the old social order. Backward-looking figures embraced updated versions of authoritarian rule, strong leadership and subordination as these principles were perceived as able to lead the country out of its misery and insignificance to renewed greatness. Therefore, authoritarian principles were even preferred to individual freedom in the pluralistic political system. That prevailing attitude also made it easy to link the ideological fight against the extreme left with the destruction of liberalism, socialism, internationalism and parliamentary democracy.[126]

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[123] Broszat, 7.

[124] Funke, 84; See also Kolb, 36; "Many judges, whose political and social attitudes were stamped by the values and conservative ideology of imperial times...handed down many judgments which openly expressed their aversion of the republic and its loyal supporters." See Broszat, 9 Judgments against perpetrators from a nationalist camp were usually surprisingly mild. Hitler, for example, served only about a year of his five-year prison sentence after his thwarted coup.

[125] Peukert, 225.

[126] Broszat, 42; Dirk Berg-Schlosser, 36.

The *Nationalsozialistische Deutsche Arbeiterpartei* (National Socialist German Workers Party, NSDAP), as it emerged by 1923, benefited greatly "from the basic affinity towards it among the conservative upper classes in the army and civil service, in the lobbies of the agrarians, the bourgeoisie and industry. Their strong anti-republicanism led them to see themselves as potential allies of the Nazis."[127] Also, "universities were strongholds of anti-republicanism."[128]

The Nazis were not the only party that openly employed anti-democratic tactics against its opponents. The party spectrum in the Weimar Republic included leading entities as in the late Wilhelmine Empire was dominated by three main groups: the Deutsche Zentrumspartei, the *Nationalliberale* (National Liberals) and a small but rapidly-growing Sozialdemokratische Partei Deutschlands.[129] The socialists were the largest party in the early 1920s. After the abolishment of the monarchy, political power had shifted to the newly elected inexperienced representatives.[130] These representatives did not rely on democratic procedures in solving political conflicts. Confrontation dominated over cooperation. As fateful as a phenomenon of political disintegration in post-conflict state building, was the proliferation of war, the spread of violence and the transformation of veterans' organizations into outright political armies. Most parties even had a paramilitary suborganization that dealt with political opponents relying more on fists than on words. Particularly in times of economic crisis, democracy politically divided the German society, instead of unifying it.[131] There were not enough moderates. A crucial implication of this competitive culture was that the necessary readiness for compromise was missing. The readiness for political compromise, to give and take, a prerequisite for lasting coalitions and thereby stable governments was missing and dampened the chances for democracy to survive.[132] The lack of experience with

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127 Broszat, 79.

128 Peukert, 226.

129 Cook and Paxton, 147.

130 Clark, 80 - 81.

131 Mazower, 18-19.

132 Ibid., 19.

democratic processes, an undeveloped democratic culture where the need to compromise was not accepted, made it difficult to transform the existing political culture.[133]

### 3. Norm Empowerment

Thus, the conditions for the diffusion of democratic norms were not favorable in Weimar. All the more important was then the strong empowerment of these norms by external and internal factors to help them gain ground. None of the victors sought to promote the democratic consolidation of the vanquished powers, other than the empty promises of the 14 Points which were soon put to the lie by the perception of the peace in the so called Versailles Diktat, and later with the French-Belgian occupation of the Ruhr. Empowerment of democratic norms was weak throughout Weimar both domestically and internationally. Six factors played a major role: (1) the low reputation of the external norm entrepreneur because of the "Versailles complex"; (2) national myth-making, which idealized pre-war Germany in order to contrast it with the present; (3) the lack of empowerment by the domestic political elite (except for a few like Stresemann); (4) the actions of the "West" which turned out not only to weaken, but to hinder democracy empowerment, such as their handling of the reparation issue; (5) the deep socio-economic crisis following the Great Depression, which profoundly discredited the young democracy further as well as negated its ties to the Anglo-Saxon western powers who had stabilized the economy and society in 1924 and 1929 and promoted the polarization of society and politics; and (6) the weaknesses of a constitution that could be exploited by anti-democratic forces in times of crisis.

The reputation of the norm entrepreneur was low, and democracy was emotionally linked to the lost war, an outcome for which the public had not been prepared until the final stages of the war.[134] According to public opinion, Germany had not chosen democracy; democracy was imposed upon it by its democratic Western war opponents. It was a result of Wilson's precondition for peace negotiations which came

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[133] Funke, 81.

[134] When war broke out in 1914, a short decisive victory was expected. See Stone, 256-257.

quickly to be seen as a vast trick.[135] It was therefore an irony of history that "those German politicians and parties which shared Wilson's ideas concerning international understanding" had to accept the Versailles Treaty and its humiliating terms. Almost immediately, the acceptance of the peace conditions developed into an encumbrance for the fledgling democracy.[136] It was the link between Versailles and the institution of democracy which proved disastrous. The political right now had a motive for its anti-democratic propaganda and agitation. The term "November criminals" was coined by the far right for the German delegation that signed the Armistice and the Versailles Treaty.[137] The "stab in the back myth" gained increased popularity among the people who did not want to accept the shortcomings of German strategists, military reality and the fateful outcome of the First World War. The myth claimed that German forces had not been beaten in the field, but that Germany had lost the war on the home front, instead, due to declining morale. As with many myths, there is an element of truth to this, but due to the military's almost total control over all aspects of war, including areas like supply and finance, it was the military that was responsible for the dire domestic situation.[138] The old military leadership of the Wilhelmine period could successfully blame their failures "on the leading figures of the Weimar Republic."[139] The right held the republic responsible for the defeat at the home front and the "stab in the back myth" dominated the thinking of all national groups. Such a strong misperception of the military debacle could prevail because people had not been prepared for the unfavorable outcome of the war, and because the new government was not able to correct the widespread but false belief.

The disappointment with the harsh conditions of the Versailles treaty reinforced anti-democratic feelings among the opponents of democracy.[140] It also turned people, who had been in favor of democracy, against it. Many connected the imposed peace

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[135] Craig, 343.

[136] Kolb, 33.

[137] Matthias Erzberger who as head of the German delegation had signed the armistice at Compiegne was later assassinated by German nationalists. See Fritzsche, 123.

[138] Megargee, 3.

[139] Kolb, 35.

[140] Passant, 156 - 158.

conditions with the imposed political system. Especially for the patriotic middle class, the Versailles treaty was psychologically unacceptable as the restrictions put on Germany stood in sharp contrast to aspirations for greatness and world power.[141] Since the democratic government had accepted the Versailles Treaty, agitation against the Republic occurred and "the politics of militarism, revolutionary and counter-revolutionary slogans, and direct action was on the ascendant."[142]

The First World War also had another effect on the political culture in interwar Germany. The shared war experience resulted in a strong and comprehensive nationalist integration that harkened back to the July and August days of 1914 as a legendary phase of national unity and people's community and stood in seemingly stark contrast to the conflicts of a pluralist, yet still immature and polarized society and political class. German society had almost evolved into a politicized mass society "primarily via the nationalist experience of the war." Especially the rural population, which so far had not been of primary interest as a constituency for the traditional parties, later became a breeding ground and a constituency for the National Socialist movement.[143] The many war veterans were a critical mass:

> The sociological prototype of these movements was the returned and demobilized front soldier who either could not, or did not want to, return to civilian life. Instead he continued a life of adventure in the free camps and paramilitary associations which transposed to peacetime politics the experience of comradeship in the trenches, of a division of the world into friends and foes....[144]

Many of these people gathered in paramilitary associations. In the interwar period, the methods of political combat, street fights, and low-level civil war often resembled the modes of conduct that these people had learned during their wartime socialization. The National Socialists could later apply aggressive methods since state institutions did not stop them. Like other nationalist movements, the Nazis "could count

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[141] Broszat, 45.

[142] Gay, 152.

[143] Kolb, 40-41.

[144] Broszat, 41.

on the basic support of the conservative leadership in the army and the bureaucracy." Since the ideological bias of the elites and the majority of the people were directed more against the extreme left, they either tolerated violent action against the left or even secretly supported it.[145] Domestically, democratic norms were rejected by elite groups and an increasing majority of the people. It was not possible to replicate the Western model against these strong domestic anti-democratic strands.

Regarding its foreign policy only, the Weimar Republic scored some successes and was gradually reintegrating into the international community. One success was the treaty of Rapallo in 1922 which laid the foundations for diplomatic, economic, and even limited military cooperation with the Soviet Union. Furthermore, Russia relinquished rights to reparations.[146]

Gustav Stresemann, a so called *Vernunftrepublikaner* (rational republican), was the main protagonist in German reintegration efforts in the European system, first during his short term as German chancellor, afterwards as foreign minister. Although Stresemann pursued a revisionist policy, he applied sensitive methods. Stresemann realized that after the lost war and because of the significant restriction of the military the preferred means for Germany's recovery and the realization of its goals towards its neighbors could only be "negotiation and conciliation." Stresemann applied both.[147]

As chancellor, Gustav Stresemann introduced a new currency, the *Rentenmark*, and countered inflation. Concomitantly, he ended the passive resistance against the Belgian and French occupation troops in the Ruhr area. That rational policy in dealing with the Ruhr crisis was later denounced as *Erfüllungspolitik* (fulfillment policy) of Allied demands.[148] But, for Stresemann, a policy of give and take seemed promising at that time and showed results. The next problem he tackled was the reparations question. The United States was willing to assist Germany in its economic recovery and supported

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[145] Broszat, 41.

[146] Kolb, 43.

[147] Ibid., 57-58. A Vernunftrepublikaner, a rational republican was someone "who had not originally wanted a new state but had come to terms with it now that it was in being," See Peukert, 226.

[148] Broszat, 8.

Stresemann. The result was the Dawes Plan in 1924 which not only settled the reparations question at the time but also granted Germany a generous international loan. Within a year after the agreement of the Dawes Plan, allied forces withdrew from the Ruhr area. Gustav Stresemann, as foreign minister, and his French counterpart, Aristide Briand, successfully initiated a policy of convergence and a reconciliation process between their countries. Slow steps were taken to revise the Versailles Treaty and to reintegrate Germany into the international community.[149] Further breakthroughs from postwar isolation were the Locarno treaty in 1925 and the admission of Germany into the League of Nations the following year.[150] Other steps towards reconciliation with former opponents were the Briand-Kellog Pact and the acceptance of the Young plan of 1929, the final arrangement of the reparations question. Overall, Germany experienced a period of detente in its foreign relations after 1923 and a period of economic recovery.[151] Democracy thus managed to survive in spite of many internal and external pressures in the founding years of the new republic. The introduction of a new currency and American credits led to a period of relative economic and political stability, today remembered as the *Goldene Zwanziger* (Golden Twenties).

However, although conditions became more stable in the twenties, the economic and political situation was still fragile, as demonstrated by the events that followed. The fairly stable phase of the Weimar Republic lasted only five years. It ended abruptly in 1929 when two unfavorable developments coincided and reinforced each other in their negative effects. One was the Great Depression following the crash of the New York Stock Exchange, and the other was the appointment of the first German presidential cabinet.[152]

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149 Kolb, 60-61.

150 Ibid.

151 Ibid., 34.

152 Ibid., 96.

In addition to the limited commitment of the international community to support the nascent democracy externally, the Great Depression, as an economic shock of large dimension, also significantly reduced their capabilities to stabilize democracy in Germany.[153]

The Great Depression had economic, social and political implications on Germany. The number of the unemployed grew quickly and steadily. In 1929, three million were unemployed; in 1932, five million, and at the beginning of 1933, more than six million. Essentially, every third worker in Germany was unemployed. Furthermore, since many people were employed only part time, the economic situation was even worse than these official unemployment figures revealed.[154] The unemployed and their families relied heavily on state benefits from a state that was going bankrupt without strong foreign investment.[155] The high unemployment rate not only burdened the treasury, but also had social implications. "In a society where men's prestige, recognition, and even identity ... derived above all from the job they did," being unemployed "destroyed people's self-respect and undermined their status."[156]

The Great Depression also had significant political implications. It's first "victim was the Grand coalition cabinet led by the Social Democrat Hermann Müller." Müller's cabinet was the last successful attempt of compromise between the ideological and social interests of the moderate left and right, the "Social Democrats and the 'bourgeois' parties left of the Nationalists...held together mainly by [the] common effort to secure the Young Plan." The compromise lasted only until Gustav Stresemann died in 1929. After the People's Party was deprived of its moderate leader, it left the coalition because the Social

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153 Since the end of the war, Germany's economic recovery had depended mostly on foreign lending and investment. Due to a looming recession, Germany's creditors, the leading industrialized countries, had applied a restrictive monetary policy beginning in 1928. The capital flow from abroad dropped significantly and, lacking the required investments, German industrial production stagnated. After the crash of the New York Stock Exchange, the already bad economic situation in Germany worsened dramatically. Germany's main financial backers, American banks, withdrew their capital at a time when the German economy urgently "needed a sharp stimulus to revive it." See Evans 234-235.

154 Ibid., 235-236.

155 Ibid., 237.

156 Ibid., 232.

Democrats refused to cut unemployment benefits. "From this point on, [not a single of the many fast changing] government[s] ruled with the support of a parliamentary majority in the Reichstag."[157]

Spoilers of the democratization process, i.e. reactionary and anti-democratic forces, monarchists and old elites, saw their chance to exploit the miserable economic and political situation. These spoilers gained an increasing influence in domestic politics and occupied high public offices. They could also increasingly use the weaknesses of the Weimar constitution to their advantage.

The Weimar Constitution had been the result of compromise. As such it contained strengths and weaknesses. In retrospect, especially the strong position of the Reich President who very much resembled a "substitute monarch," was a considerable weakness. Article 25 of the Weimar constitution permitted the president to dissolve the parliament (Reichstag); Article 48 allowed him to suspend basic rights. Both articles, in combination, were the means which partially legitimized the Reich President to exercise semi-authoritarian rule whenever he decided that public order was endangered and needed to be restored.[158] Under Hindenburg, all the weaknesses of the Weimar constitution came to the fore.

Another weakness was the proportional electoral law which caused a proliferation of parties. No reasonable threshold existed for a party to enter parliament, and consequently even the smallest parties were represented in the Reichstag. The further and further fragmentation of the political arena made it more and more difficult to build

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157 Evans., 247.

158 Article 25 (dissolution of parliament): "Der Reichspräsident kann den Reichstag auflösen, jedoch nur einmal aus dem gleichen Anlaß. Die Neuwahl findet spätestens am sechzigsten Tage nach der Auflösung statt." Article 48, Second paragraph (restriction of basic rights): „Der Reichspräsident kann, wenn im Deutschen Reiche die Öffentliche Sicherheit und Ordnung erheblich gestört oder gefährdet wird, die zur Wiederherstellung der öffentlichen Sicherheit und Ordnung nötigen Maßnahmen treffen, erforderlichenfalls mit Hilfe der bewaffneten Macht einschreiten. Zu diesem Zwecke darf er vorübergehend die in den Artikeln 114,115,117,118,123,124 und 153 festgelegten Grundrechte ganz oder zum Teil außer Kraft setzen." These basic rights comprise sie Freiheit der Person (114), Unverletzlichkeit der Wohnung (115), Postgeheimnis (117), freedom of speech (118), Versammlungsfreiheit freedom to assembly (123), Vereinsfreiheit freedom of association (124) und Eigentumsrecht property rights (153). Reichs-Gesetzblatt Jahrgang 1919, Die Verfassung des Deutschen Reiches vom 11. August 1919. http://www.documentarchiv.de/wr/wrv.html (accessed March 7, 2007).

lasting coalitions among the many interest groups. In a period of only thirteen years, the Weimar Republic had twenty different cabinets.[159]

Besides, the political fragmentation, first of the left, and then of the right, the overall strained situation favored the rise of anti-democratic parties. No consistency in politics, widespread discontent with the economic situation, growing problems for inner security (due to the many and strong paramilitary organizations, such as the "storm troopers" or the "red front fighters,") a shrinking constituency in support of moderate parties, and successful antidemocratic propaganda were gradually wearing the republic down.

After 1930, the Weimar Republic experienced a lasting political crisis, where political leaders who adhered to democracy and tolerance did not join forces. After the break-up of the Müller coalition, the Reichstag was dissolved and democracy de facto ceased to exist in the Weimar Republic with "the last Reich cabinet that had been formed on a parliamentary basis."[160]

On January 30, 1930, President Hindenburg nominated Heinrich Brüning as chancellor, and the first of a number of presidential cabinets was formed. The new government could not rely on a solid parliamentary base. Instead, it depended on the toleration of the majority of the parties in the Reichstag. When the government would not be tolerated, "it would govern without parliament by means of emergency decrees signed by the president and based on Article 48 of the Weimar Constitution." Consequently, these semi-democratic presidential cabinets relied mostly on support of the president.[161]

It has become widely believed that the Weimar Republic was a republic without democrats, because of the prevailing strong anti-democratic mood even among the political elites in moderate parties. Heinrich Brüning from the Catholic Centre Party can be regarded as more monarchist than republican. This characteristic was the decisive point for Hindenburg and his advisors in choosing and appointing him as chancellor.

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[159] Funke, 81.

[160] Broszat, 25.

[161] Ibid., 26.

When Brüning came into office, one of his aims was "to reform the constitution by reducing the power of the Reichstag" and to push back the Social Democrats' political influence.[162]

Brüning's strategy for dealing with the economic situation only made bad things worse.[163] Economic effectiveness had always been a criterion for political capability in Germany. That was valid for the state of Prussia, for Wilhelmine Germany, and also for the Weimar Republic. This had a strong influence on the perception of and the attitudes towards the democratic regime. Disillusion with the way policy was carried out and further disappointment with democracy spread among the German people.[164] The economic decline led to a radicalization of politics that especially benefited the extreme right.[165]

The NSDAP gained acceptance and popularity. The confusion after the Great Depression created all the prerequisites needed "for a splinter party to gain a mass following in a relatively short time and to become a power on the electoral scene,…an explosive situation in domestic and social affairs..[and] a state of acute political, social, economic and psychological crisis."[166] The German population became more and more ideologically divided; fear of the future shaped political preferences; many people "were

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162 Evans, 251.

163 Brüning followed a deflationary policy, which was in accord with the Young Plan. The Young Plan demanded, apart from high reparations, a stable German currency, which permitted the devaluation of the Reichsmark, and thereby programs to stimulate the economy with new money. In that situation Brüning reduced public spending in face of sinking revenues, virtually no possibilities to borrow more money, an unclear exchange rate for the German currency, and, on top of that, obligations to pay reparations. Brüning hoped that reduced domestic demand would lead to lower prices making German products more attractive and competitive for the world market. That strategy did not work since demand was decreasing worldwide. To decrease government spending, Brüning initiated the reduction of unemployment benefits which resulted in growing widespread poverty and had further repercussions on the economy. To devaluate the currency and thereby boost exports was not an option for Brüning, because he also wanted to prove how much the Germans suffered from reparations. In the course of that strategy, the budgetary deficit became so big that the Gold Standard could no longer be applied. After the bank crisis, Brüning scored a partial success regarding reparations: at last, Germany's reparations payments were suspended by the Hoover Moratorium at the end of June, 1931. Although this would have allowed a more flexible monetary policy and the printing of fresh money to reflate the economy and to create jobs, Brüning did not use that opportunity to improve the economic situation. Ibid., 251-253.

164 Greiffenhagen, 20.

165 Evans, 255.

166 Kolb, 96.

politically disoriented, socially isolated and economically insecure."[167] Moderate conservative parties did not get enough support from their constituencies towards the end of Weimar, the moderate middle shrank, and the extremists gained.[168]

What happened in Germany was not unique but represented a trend in European politics in general. One has only to consider the case of a similar development in Austria, to say nothing of Italy. The international environment was not supportive of democracy in these years. Immediately after the end of the First World War, many European states had established a liberal democracy on paper following Wilson's campaign for democracy. But democracy did not always prevail in interwar Europe, and one country after the other fell back into authoritarian rule. The Fascists under Mussolini seized power in Italy in 1922; Primo de Riviera set up a military dictatorship in Spain in 1923, and Poland experienced a military coup in 1926. In the same year, a dictatorship was installed in Portugal, and three years later in Yugoslavia. When the Great Depression evolved, "one government after another moved rightwards." Europe experienced the so called "crisis of democracy." Democracy survived only in the northern parts of Europe.[169]

### 4. Outcome

In 1919, the American president Woodrow Wilson optimistically proclaimed that the world had "been made safe for democracy."[170] Yet, the Weimar Republic, the second attempt to establish democracy in Germany,[171] lasted only fourteen years. "The Republic was born in defeat, lived in turmoil and died in disaster," as Peter Gay describes the Weimar period.[172]

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[167] Kolb., 99.

[168] Stone, 133.

[169] Mark Mazower, *Dark Continent: Europe's Twentieth Century* (New York, NY: Vintage Books), 3-5.

[170] Dahl, 146.

[171] The first attempt to establish democracy in Germany—after the March Revolution in 1848—failed when the Prussian king declined the offer to become German Emperor. See Bleek, 35.

[172] Gay, 2.

It was Hitler's hour. In his election campaigns, Hitler played on the negative public attitude towards the Weimar Republic by stressing the internal divisions, the fractionized political landscape, economic failure, and the responsibility of the Weimar Republic for Germany's humiliation by the Versailles Treaty. Hitler told the people what they wanted to hear. He offered a counter-vision to Weimar, a united and strong Germany with a proud society, a *Volksgemeinschaft* (a racial community) without social borders that would rebuild Germany "and restore the nation to its rightful place in the world." Effective and efficient propaganda delivered these messages to the German people and was tailored according to the specific audience.[173]

Nazi propagandists understood mass psychology, and they "worked on a crude mixture of discontent composed of nationalist, racialist, anti-Semitic, anti-Marxist and anti-liberal prejudices, together with a sense of awaiting a leader which was widespread in Germany in the 1920s."[174] Public appearances of the Nazis in closed formations actively supported the impression of a strong movement, with discipline and order, under a determined leader.[175] Joining the joint campaign of the "Reich Committee" against the Young Plan in 1929, although the plebiscite failed, gave the NSDAP increased popularity in the nationalist camp.[176]

Anti-democratic propaganda was a decisive factor for the rise of the NSDAP, visible in the unexpected result in the national elections of September 1930.[177] In only

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[173] Evans, 257.

[174] Before the Great Depression and its effects, Germans had not been very receptive to National Socialist propaganda. In 1928, the NSDAP had the status of a splinter party that received only 2.6 per cent of the votes in the May elections. See Kolb, 99, 103.

[175] Broszat, 3.

[176] In a trial against three officers, who had joined the Nazi Party, Hitler announced that he would achieve power by legal means. This was a clear indication that he had left the putschist approach of 1923 behind and his so called "legality oath" received much applause in the army and in conservative circles. Ibid., 23, 76-77.

[177] The NSDAP was able to build "an image of strong, decisive action, dynamism, energy and youth that wholly eluded the propaganda efforts of the other political parties" National Socialism projected the image of more than a political party; it projected itself of being a movement which would bring a better future for the German people. This positive image was created, even though the propaganda and the NSDAP program lacked the necessary concrete ideas of how to solve the problems of that time; however, that "vagueness seemed to be more of an advantage than a disadvantage, because it allowed every voter to read what he wanted to. Evans, 265.

two years, the National Socialists increased their number of seats in the Reichstag from 12 to 107 which meant an increase from 0.8 to 6.4 million votes. The National Socialists had gained support from voters of all social classes, among them first time and inexperienced voters, but also many of "the older generation, who evidently no longer considered the Nationalists vigorous enough to destroy the hated Republic." The Nazis also gained over proportional support from female voters and from voters living in north Germany, east of the Elbe, or in rural areas.[178] The surprising results of the September 1930 elections turned the NSDAP into a potential coalition partner.

In the votes for Reichspräsident in March 1932, Hindenburg won with only a slight majority against Hitler, an event that also demonstrated the latter's increased popularity. Two months later Brüning resigned, after losing Hindenburg's support. The governments in the last year of the republic under Franz von Papen, and Kurt von Schleicher, were short-lived and dependent on Hindenburg's goodwill.[179]

In the summer elections in 1932, the NSDAP doubled its votes; democratic parties together gained only 38 percent. The majority of the German people had decided against the moderate democratic parties. In the last elections of the Weimar Republic, on November 6, 1932, the NSDAP lost four percent of the votes.[180] Only two months later, Hindenburg appointed Hitler as chancellor, on January 30, 1933, at a time when the NSDAP had already passed the zenith of public approval, and the Third Reich was born.

A multiplicity of intertwined exogenous and endogenous factors eventually caused the failure of the democratization attempt of Weimar Germany, but the influence of the cultural mismatch and the weak norm empowerment was strong among them. In retrospect, it does not follow conclusively that the new democracy was doomed to failure. Although the Weimar Republic had such an unfavorable starting position, it handled the imminent challenges and first crises surprisingly well. The dependency of the new

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[178] The bourgeoisie especially supported the NSDAP. The previous elections of 1928 and 1929 showed that most of the votes were gained "among the peasantry and the provincial middle class." See Kolb, 22; Evans, 261-262.

[179] Turner, 9, 31-109.

[180] Ibid., 14-16.

government on existing imperial institutions, however, prevented the democratization of the state-bureaucracy, judicial, military, and even the educational system. All of these institutions were still imbued with the conservative spirit of the German Empire and did not actively support democracy.[181] The cultural gap never closed; instead, it increased over time. Due to a few committed democrats and many "rational" republicans, the republic survived the initial storms and even experienced a phase of relative stabilization, the "Golden Twenties." However, after 1929, the republic could not cope with the renewed economic decline and its political, social and psychological consequences. Even people who had made their peace with the new regime increasingly mistrusted democracy.

Instead of cultivating a more democratic culture from within and from without, norm empowerment by internal as well as external actors was largely missing; the burdens of the past and the unfortunate developments strengthened the circle of reactionary domestic forces that rejected democracy. The political culture deteriorated further under economic crisis and increasing political radicalization. The economic crisis turned out to be a crucial intervening variable in the democratization process. When the effects of the Great Depression hit Germany, anti-democratic forces gained the upper hand over moderate ones, abused the constitution, conspired with the old elites, and gradually destroyed the unwanted republic.[182]

All prior successes of the young democracy paled in face of the deteriorating circumstances. No success could counterbalance the widespread perception that things in Germany had developed for the worse because of the imposed democratic system. The legacy of a defeat that was not accepted by a backward looking society, the prevailing stab-in-the-back-myth, and effective anti-democratic propaganda, all had implications for the *Zeitgeist* (spirit of the times) that was not in favor of democracy. Weimar had a new constitution, but people had not changed their attitudes and preferences.[183]

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[181] Funke, 82.

[182] Bracher, 6.

[183] Greiffenhagen, 19.

## B. THE FEDERAL REPUBLIC OF GERMANY[184]

### 1. Post-Conflict Situation

[184] The case on the Federal Republic of Germany regards the development in the three Western occupation zones in the period between 1945 until 1989. The chapter is based on the following publications: Donald Abenheim, *Soldier and Politics Transformed: German-American Reflections on Civil-Military Relations in a New Strategic Environment* (Berlin: Carola Hartmann Miles, 2006); Donald Abenheim, *Reforging the Iron Cross: The Search for Tradition in the German Armed Forces* (Princeton: Princeton University Press, 1988); Gabriel A. Almond and Sydney Verba, *The Civic Culture* (Princeton, New Jersey: Princeton University Press, 1963); Ernst Bruckmüller, *Wiederaufbau in Österreich, 1945-1955:Rekonstruktion oder Neubeginn?* (Wien: Verlag für Geschichte und Politik, 2006); Dirk Berg-Schlosser, „Entwicklung der Politischen Kultur in der Bundesrepublik Deutschland,“ *Aus Politik und Zeitgeschichte* 7 (1990): 30-46. Dirk Blasius, „Von Bismarck zu Hitler: Kontinuität und Kontinuitätsbegehren in der deutschen Geschichte,“ *Aus Politik und Zeitgeschichte* B 51 (1998): 3-10. Karl Dietrich Bracher, „Der erste Demokratieversuch und seine Folgen,“ *Die politische Meinung* 358 (1999):5-19. Robert A. Dahl, *On Democracy* (New Haven, London: Yale University Press, 1998); Victoria de Grazia, *Irresistible Empire: America's Advance through 20th-Century Europe* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2005); Alex N. Dragnich and Jorgen S. Rasmussen, *Major European Governments*, seventh edition (Chicago, Illinois: The Dorsey Press, 1986). John S. Duffield, "NATO's Functions after the Cold War," Political Science Quarterly, 109:5, (1994/5): 763-787. Bernd Faulenbach, „Überwindung des deutschen Sonderweges?: Zur politischen Kultur der Deutschen seit dem Zweiten Weltkrieg.“ *Aus Politik und Zeitgeschichte* B 51 (1998): 11-23. Herman Finer, *Governments of Greater European Powers: A Comparative Study of the Governments and Political Culture of Great Britain, France, Germany, and the Soviet Union* (New York: Henry Holt and Company, 1956). Norbert Frei, "Coping with the Burdens of the Past: German Politics and Society in the 1950s," in *The Postwar Challenge: Cultural, Social, and Political Change in Western Europe*, 1945-58, edited by Dominik Geppert, 27-39 (Oxford: Oxford University Press, 2003). Manfred Funke, „Deutschland 1905 bis 2005: Gedenkjahre im Zehner-Pack,“ *Die politische Meinung* 50 (2005): 10-16. Dominik Geppert, "Introduction," in *The Postwar Challenge: Cultural, Social, and Political Change in Western Europe, 1945-58*, edited by Dominik Geppert, 1-23 (Oxford: Oxford University Press, 2003). Martin Greiffenhagen, „Die Bundesrepublik Deutschland 1945 – 1990: Reformen und Defizite der politischen Kultur,“ *Aus Politik und Zeitgeschichte* 1-2 (1991):16-26. John H. Herz, "Denazification and Related Policies," in *From Dictatorship to Democracy: Coping with the Legacies of Authoritarianism and Totalitarianism*, edited by John H. Herz, 15-38 (Westport and London: Greenwood Press, 1982); Wolfgang Ismayr, „50 Jahre Parlamentarismus in der Bundesrepublik Deutschland,“ *Aus Politik und Zeitgeschichte* B 20 (1999):14-26. Konrad H. Jarausch, *After Hitler: Recivilizing the Germans: 1945-1995*, translated by Brandon Hunziker (New York: Oxford University Press, 2006). Karlheinz Niclauß, „Bestätigung der Kanzlerdemokratie?: Kanzler und Regierungen zwischen Verfassung und politischen Konventionen,“ *Aus Politik und Zeitgeschichte* B 20 (1999): 27-38., Daniel E. Rogers, *Politics After Hitler: The Western Allies and the German Party System* (New York: New York University Press, 1995). Gordon R. Smith, *Democracy in Western Germany: Parties & Politics in the Federal Republic,* second edition (New York: Holmes & Meier, 1982); Rolf Steininger, *Der Staatsvertrag:Österreich im Schatten von deutscher Frage und Kaltem Krieg 1938-1955* (Innsbruck: Studien Verlag, 2005);Toby Thacker, "Playing Beethoven like an Indian: American Music and Reorientation in Germany, 1945-1955," in *The Postwar Challenge: Cultural, Social, and Political Change in Western Europe, 1945-58*, edited by Dominik Geppert, 365-386 (Oxford: Oxford University Press, 2003). Sidney Verba, "Germany: The Remaking of Political Culture," in *Studies in Political Development 5: Political Culture and Political Development*, ed. Lucian W. Pye and Sidney Verba, 130-170 (Princeton, New Jersey: Princeton University Press, 1965); Klaus Weinhauer, *Schutzpolizei in der Bundesrepublik: Zwischen Bürgerkrieg und Innerer Sicherheit: Die turbulenten sechziger Jahre* (Paderborn: Schöningh, 2003); Friedrich Wilhelm, Die *Polizei im NS-Staat: Die Geschichte ihrer Organisation im Überblick* (Paderborn: Schöningh, 1999).

The case of the western zones of occupation of Germany and later the Federal Republic forms a counterpoint to the case that has preceded this one as well as that which follows it. The Second World War in Europe ended with the unconditional surrender of Germany on May 8, 1945. After almost six years of all-out war, massive allied bombing campaigns and extensive fighting on German soil, both physical destruction and social disorientation were immense. Much of the country literally lay in ruins. Many urban areas, the transport and communication infrastructure, and the industrial sites had been destroyed. Public order had broken down. Millions of Germans were homeless or internally displaced. Millions of refugees from the eastern territories that Germany lost as a consequence of the military defeat—from Silesia, Pomerania, East Prussia, and from the Sudeten area—had fled to the western parts of Germany.[185] The overall supply situation in Germany was extremely critical.[186]

The victorious powers, Great Britain, France, the Soviet Union and the United States occupied the whole of Germany. Towards the end of the war, in February 1945, at the Conference of Yalta, the Allies had agreed on common principles for their occupation policy. These principles were confirmed after Germany's capitulation at the subsequent Potsdam Conference in August 1945. In the Potsdam program the Allies set four general political aims regarding the treatment of Germany, later known as the four Ds: "Demilitarization, Denazification, Democratization, and Decartelization."[187]

Four occupation zones were established, one for each of the victorious powers and, in addition, a French occupation zone. The victors filled the administration gap that resulted from the breakdown of the party/state government of the Third Reich and exercised direct control. In the Western zones, self-government was restored successively, first to the municipalities, then on the level of the newly reformed "Bundesländer," (there were no more Gaue or Kreise of the NSDAP) finally on the

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185 Geppert, 6; Dragnich and Rasmussen, 326.

186 Jarausch, 4, 9; See also Finer, 684.

187 Dokument B/IV/3, Mitteilung über die Dreimächtekonferenz von Berlin (Potsdamer Abkommen) vom 2. August 1945 (Auszug), in: Dieter Blumenwitz, *Denk ich an Deutschland: Antworten auf die Deutsche Frage*, Dokumentenband, ed.Bayerische Landeszentrale für politische Bildungsarbeit (München and Stamsried: Ernst Vögel, 1989), 24-28; Jarausch, 271; Finer, 685

federal level in 1949 with the first parliamentary elections and the formation of the Adenauer government. In parallel, allied control was relaxed, with the Petersberg Agreement of 1949, the "Deutschlandvertrag" of 1952 and the Treaties of Paris in 1955 as major milestones in the formation of the Federal Republic and its progress from vanquished territory to member of the western alliance. In the first years, the four military governors were the ultimate authorities for all decisions in the respective occupation zones. Decisions concerning the whole of Germany were taken in the Allied Control Council (ACC), comprised of the four military governors and located in Berlin. The ACC fulfilled its governmental functions until March 1948, when the military governor of the Soviet Union left the institution due to disagreements about the political and economic administration of the respective German Länder and the evolving Cold War.[188]

During the occupation phase, the three democratic powers, France, Great Britain and the United States of America tried to expunge the Nazi stain of state and to encourage or outright impose liberal, Christian and or social democracy on Germany. In face of the difficult circumstances and the many challenges of the postwar situation in 1945, ranging from the need for an almost complete reconstruction of the infrastructure and the economy to the creation of a new political structure up to the Nuremberg Trials, the task was even more daunting than in 1918 as the dimension of the defeat was far, far greater and the nature of the Nazi regime was hegemonic and genocidal.

## 2.    Cultural Match

It seems to be a paradox: the cultural match in the aftermath of the Second World War was negative ("-"), even more so than in 1918; however, the starting conditions for successfully implanting democracy in Germany were better.

The Third Reich was able to build on and to cultivate traditional German attitudes and carry these to an extreme.[189] The political culture in the "post-Fascist society" in 1945 was similar to that towards the end of the Weimar Republic, mainly characterized

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188 Rogers, 2-3.

189 Blasius, 3-10.

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by "militarism, nationalism, and statism."[190] Authoritarian attitudes and behavior persisted in a society that had experienced and widely supported twelve years of totalitarianism with a one-party system that had impacted almost all dimensions of life. The majority of the German people had "accepted the NS [National Socialist] dictatorship until the bitter end."[191] The year 1945 thus was indeed a turning point in German history; it was not a *Stunde Null* (zero hour), since the past continued to affect the evolution of the German collective identity.[192] Political cultures never start from zero.[193] Due to a long illiberal tradition, Germans were used to, and inclined toward hierarchy and authority.[194] In particular, the German bureaucracy enjoyed high prestige, although it had made common cause with the NSDAP (i.e. armed forces, judiciary, diplomatic corps, legal profession and university professors…) and had been transformed by it. People were used to being told the rules and to obeying them instead of actively participating in democratic processes. Many Germans still favored "the hierarchical, orderly system of the [Wilhelmine] Empire."[195] Even though the young democracy could very well hark back to indigenous democratic traditions, such as during the *Vormärz* of post-Napoleonic Germany, democracy did not have a good reputation among Germans after the disappointing experience with the Weimar Republic. Even ten years after the end of the war, half of the population in the Federal Republic of Germany thought that National Socialism was basically a good idea that was only realized improperly, and that without the lost war, Hitler would have been a great statesman. Thus, there was much more continuity in German political culture than widely perceived today from hindsight.

However, after 1945, Germans were nevertheless mentally prepared for a regime change.[196] The major reasons were the profound failure of the lost war as well as a growing disillusionment with the NSDAP, if not with the personality of the Führer

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190 Jarausch, 266.

191 Geppert, "Introduction," 7.

192 Faulenbach, 11-13.

193 See Eckstein, 796.

194 Faulenbach, 12; Singer and Wildavsky, 20.

195 Dragnich and Rasmussen, 344.

196 Greiffenhagen, 16.

himself, in turn from 1943 onwards, thereby stimulating a process of social learning. World War II was a branching point for German culture because the total defeat profoundly discredited the former belief system and generated an opening for the democratic alternative. The introduction of democracy by the Western allies, through a combination of coercion and inducement, thus fell on fertile ground.

Although there were many similarities between the German political culture after 1945 and 1918, there were also crucial differences. The totalitarian Third Reich had ended in total war and military defeat as did the Wilhelmine Empire. But unlike 1918 the totality of the defeat was obvious to the mass of people in total war and its corresponding form of defeat and could not be denied or presented as the result of another "stab in the back."[197] Yalta and Potsdam were not another Versailles, not perceived as an illegitimate *Schmachfrieden* (humiliating peace) that bred revisionism. People were tired of war and suffering.[198]

Besides, there was a vacuum in leadership. The prominent political leaders of the Nazi era had either fled the country, were dead, in hiding, or imprisoned in Allied detention camps.[199] As a consequence, "the legitimacy of the old political system was shattered with no new one to take its place."[200] Structure, order and stability were lost or at least profoundly shaken in postwar Germany. New elites had to be recruited. People were uncertain, disillusioned with Nazism, cynical or even apathetic regarding politics. This social disorientation after the Second World War offered an opportunity to spread new norms much more so than after the First World War.[201]

However, the Allies had to constitute a democratic state "for an estranged people, without thereby sliding back into the horrors of an extensive nationalism." Even so, the Allies could build their democratization project on some domestic support since there was "a sizable minority of Weimar democrats, resistance survivors, and returning

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[197] Greiffenhagen, 16.

[198] Jarausch, 3.

[199] Frei, 28.

[200] Verba, 132.

[201] Berg-Schlosser, 36.

émigrés … [who were] ready to make a fresh start that drew on minority traditions of democracy," such as Konrad Adenauer or Kurt Schumacher.[202]

And there was no alternative than to recruit the main body of a new democratic leadership from the generation that had already been involved in politics during the Weimar Republic, "since one generation had been made away with in the concentration camps or war."[203]  Further, one was prepared to accept back into life many of the rank and file of the NSDAP and its branches, a process which made itself felt if not immediately in 1946 or 1947, then surely once the Korean War began and normalcy took hold in the course of the 1950s.

### 3.    Norm Empowerment

After the Second World War, the Euro-Atlantic community had a strong interest in the post-conflict development of Germany, and the willingness and the commitment to implement the principles of the Potsdam program were high among the western occupation powers. The overall goal was a fundamental change of the political culture, "the re-education of the Germans" from an authoritarian to a democratic society; and that goal could be reached.[204] Focused on this aim, the western Allies used their transitional governmental authority to destroy the totalitarian institutions in Germany and to replace them with democratic ones.[205] In addition, applying the important lesson of Weimar that a formal change to democracy was not sufficient, the Allied interim authorities empowered democratic norms wherever and whenever possible. Demilitarization and denazification were the primary means towards that target during the occupation phase.[206]

Six factors played a major role in the successful democratization process of Germany after 1945: (1) the effective prevention of actual or potential spoilers in politics; (2) the democratization of state institutions (military, police, legal system,) and of the

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202 Funke, 13; Jarausch, 280-281.

203 Finer, 687.

204 Berg-Schlosser, 36; Jarausch, 21.

205 In the Soviet occupation zone another totalitarian system replaced the former one.

206 Dragnich and Rasmussen, 346.

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academia and of the media; (3) a broad reorientation program; (4) an active process of coming to terms with the past that also laid the foundation for international reconciliation and for the integration in Euro-Atlantic structures; (5) a high reputation of the norm entrepreneur; and (6) an appropriate constitution coupled with a favorable economic development.

The main spoilers of the democratization process in the Weimar Republic, the military and the East-Elbian Junkers had no influence on the democratization process of Germany after the Second World War, since both groups were no longer existent in the western occupation zones in any meaningful way.[207] The military had been dissolved and the territory east of the Elbe belonged to the Soviet occupation zone or to Poland. The demilitarization of Germany had been a primary aim of the Allies. Already in September of 1945 the ACC had decreed the demobilization and dissolution of all German military forces and of the various military and paramilitary sub-organizations, even if both sides kept a certain, limited number of Wehrmacht veterans in various kinds of auxiliary uniforms. No *redux* of the Groener-Ebert telephone call *a la* 1945 could save the Wehrmacht, to say nothing of the *Waffen SS* (*Schutzstaffeln*, protective squadron) or *Reichsarbeitsdienst* (Reich labor service). The Allied policy went even "beyond the destruction of the military as an institution": such an effort "aimed at draining the social and cultural sources of militarism," at interrupting the German military tradition, and at discrediting the military as a whole. This policy was very effective both in the short-term as well as in the long-term perspective; it has repercussions on German society still today.

In contrast to the war cult in Germany after the First World War, the population rejected war broadly in the aftermath of the Second World War. There was an overall antiwar mood in the population after almost six years of war that had consumed members of almost every family. With almost no exceptions, demobilized soldiers yearned for a return to civilian life. The nature of the defeat, the brutality of the war, the failures of generalship and the ruthlessness of military justice in the final phase of the war, as well

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[207] Greiffenhagen, 17.

as the common knowledge that much of the war had been waged with a mercilessness at variance with the Prussian tradition loomed large in the experience of millions of embittered men and women at arms. Many of them had experienced a term of undignified captivity in an Allied prisoner of war camp and that experience, in many cases, had also contributed to a change in their personal attitudes towards war. The demilitarization program and its result, the "discrediting of the military provided a unique chance to acquire new, more peaceful values and norms of behavior."[208] The intense domestic debate about and the fierce resistance within the German population against armament in the Federal Republic of Germany, beginning a half decade after the end of the Second World War, demonstrated clearly how successful the demilitarization of Germany and the internalization of peaceful norms had been.

The German contribution to the defense of the West, the force that became known as *Bundeswehr* (German Armed Forces) in the mid-1950s, was founded as an army in a democracy with unique characteristics. Strict parliamentary control, including the new institution of a *Wehrbeauftragter* (parliamentary commissioner of the armed forces), and conscription secured civilian control and transparency of the military with a leading role of parliament. The internal military culture, visible in the way in which those who serve are treated, reflects the character of the Bundeswehr as an army in a democracy. Within the concept of *Innere Führung*, the term *Staatsbürger in Uniform* (citizen in uniform) expresses the image of a citizen soldier who keeps his rights and duties as a citizen during his term in the military; is loyal to the constitution; and ready to defend both the country and its democratic system.[209] Furthermore the new German military was integrated into pan-European/Atlantic structures, firstly with the plans for the European Defense Community and then after 1955 into NATO. Thus, the Bundeswehr was integrated dually within the democracy of the Federal Republic of Germany and within the Atlantic alliance of democracies. This solution stands in starkest possible contrast to the fate of the Reichswehr, an army which stood on its own, as it were, and relied on a foundation of

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[208] Jarausch, 28-35.

[209] Abenheim, *Soldier and Politics Transformed: German-American Reflections on Civil-Military Relations in a New Strategic Environment*, 9-14, 24-25, 36-40, 88, 95.

anti-democratic traditions and an international system that was anything but conducive to the formation of democracy in the first German republic.[210]

The German police could not be dissolved like the military had been after 1945, out of concern for internal security, although a checkered effort was made to denazify, it granted its former control by the SS. Declining over time, the Allied occupation force presence was strong but not strong enough to counter the manifold criminal activities that emerged after the end of the war, especially the black market. Germans had to contribute to that task. With the aim to enhance the reliability of the German police and to turn the police from an instrument of oppression that it had been in the totalitarian state into a pillar of democracy, police units were purged of Nazis, refreshed with new recruits with an unblemished personal record, and retrained by the allies. Even new police uniforms were designed to reflect the different mindset of the institution to the German population.[211] Even so, an alarming number of ex-SS and Gestapo men endured in the police forces of the Federal Republic of Germany.[212] Also, only few former Nazis were removed from judicial positions.[213]

Denazification was the second principle of the Potsdam program equally important as the demilitarization of German society. Its aim was to remove potential spoilers from state institutions, public offices and from politics who could obstruct the pacification and democratization process. The efficiency of the denazification program was often questioned because of the way it was conducted. In a first step, the NSDAP and its organizations were dissolved and banned. Yet, more difficult than the formal dissolution of political institutions was to identify who had been, or still was, an active Nazi. An identification process was necessary in order to recognize dedicated Nazis and to remove them from public office or to deny them access to responsible positions. The identification procedure changed over time. In the U.S. occupation zone, for example,

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210 Abenheim, 84-91; See also Donald Abenheim, *Reforging the Iron Cross: The Search for Tradition in the German Armed Forces*.

211 Jarausch, 35.

212 See Weinhauer; See Wilhelm.

213 See Herz, 20.

initially, people were expected to answer an infamous questionnaire and to give information voluntarily about their engagement in Nazi affairs. Later, the identification process was conducted by Germans under Allied supervision. So called *German review boards* were entrusted with the task of categorizing their fellow countrymen into four categories: Chief Nazis, Nazis, Lesser Nazis or Exonerated. Although both procedures might have resulted in "whitewashing," denazification proved quite effective in the beginning. No matter how convinced of National Socialism some people still might have been at that time, it would have been self-sacrificing to be categorized as a Chief Nazi or as a Nazi. The program had a strong deterrent effect, because "without a certificate of exoneration [the so called *Persilscheine*, or soap certificate] there was no chance of holding onto a normal job."[214] It might not have been possible to remove all former members of the NSDAP from responsible positions, because "without expert knowledge the administration and economy of the occupied country would have quickly broken down;" however, their political influence was neutralized. Besides, National Socialism as an ideology was discredited, and the further spread of Nazi ideas effectively prevented by the successes of western integration and by the self evident pleasure of normalcy and consumerism.[215]

The denazification process was complemented by a broad Allied reorientation program aimed more directly towards a change in German political culture, especially to create a breach with radical nationalism and to empower democratic norms, also from the bottom. The old elites had been removed and National Socialism as an ideology was largely discredited. The horrendous effects of the Holocaust were widely publicized by the victors and later by Germans themselves. The broad population, particularly the next generations, was exposed to the new democratic norms provided by the Allies. The reorientation program started in the information and education networks. First, all German media with a Nazi past were forbidden and replaced by Allied media. Later, "reliable [democratic] German publishers and journalists [were] licensed to issue their

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214 Jarausch, 46-55, 274. "Persil-clean" had become the colloquial expression for the certificate of good conduct that citizens obtained in the course of denazification procedures. See de Grazia, 424.

215 Jarausch, 46-55, 274.

own publications." Schools and universities were also purged of Nazis as were the police and other public institutions and replaced by personnel with an unblemished record.[216] This effort was not wholly successful, but in the end it worked overall.  Even musical reconstruction was part of the Anglo-Saxon "Information Control" campaign to reorient the "German mind."[217] In the Federal Republic of Germany democratic norms were further promoted through various efforts of *politische Bildung* (political education) in different institutions to promote a more sophisticated approach to mass politics than the apolitical ideal of the German bourgeoisie of the 19th century.

However, it took time domestically to deal with the legacies of the recent past. During the early reconstruction phase the legacies of the Third Reich were tabooed by many. Instead, "Allied disclosures of the National Socialist atrocities during the Nuremberg Trial and subsequent court cases created shock and outrage among the defeated, who refused to believe them." Only after international pressure and media campaigns was the German self-stylization as victims of the Nazi regime eventually replaced by "a more self-critical approach to the past."[218] The debate about collective and individual guilt contributed to this process.

Norbert Frei distinguishes three phases in the domestic process in which Germans mastered their recent past: *the politics of purge* between 1945 until 1949, the *Vergangenheitspolitik* (policy of the past) from 1949 until the mid-1950s, which was one of inclusion of some of those marginalized by the purge phase and the period of *Vergangenheitsbewältigung* (coming to terms with the past) starting in the mid-1950s until the 1980s.[219] The phases demonstrate that denazification was all but a linear process with self-evident results.

After Germany regained partial sovereignty in the newly founded Federal Republic, the first German chancellor, Konrad Adenauer, did not continue the Allied denazification process. Driven by a widespread public mood "to forget about the past,"

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216 Jarausch, 56-71.

217 Thacker, 367.

218 Jarausch, 270.

219 Frei, 27-28.

or by anger at what was called victor's justice at Nuremberg, Adenauer's Vergangenheitspolitik was characterized instead by "amnesty, integration, and demarcation." During Adenauer's chancellorship two amnesty laws were passed.[220] Within the context of his domestically broadly supported Vergangenheitspolitik and the so called *Schlussstrichdebatte* (closing line debate) the Bundestag passed another law that even reversed the consequences of the denazification process for those officials who as former members of the NSDAP had been removed from public offices.[221] Subsequently, most of these people were reintegrated into public service and regained their prior status as civil servants. Concomitantly to amnesty and reintegration, a process of *normative Abgrenzung* (normative demarcation) was pursued, not only to satisfy the Allies. Within this process "any positive ideological acknowledgement of National Socialism and anti-Semitism became taboo." Proceedings were brought against "people who openly justified Nazi crimes, in particular, the murder of the Jews, or who seriously criticized the legitimacy of the anti-Hitler resistance movement."[222]

Although, initially, Vergangenheitspolitik was broadly supported in Germany, it became an issue of public criticism in the mid-1950s. Particularly in the late-1950s and early-1960s younger people increasingly raised questions about the individual involvement of the postwar political establishment in Nazi affairs, and the period of Vergangenheitsbewältigung began. Its major events were the opening of the Ludwigsburg center for the prosecution of Nazi crimes in 1958, the Eichmann trial in 1961, the *Spiegel* Affair of 1962 and the Auschwitz trials of 1965. This period was characterized by fierce political debates in the 1960s and the 1970s, and a broad information campaign about Nazi crimes, such as the popular *Holocaust* TV series in the

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220 The first amnesty law came in force in December 1949. "The law granted an amnesty to everyone charged with offences committed before 15 September 1949 and punishable by up to six months' imprisonment. The second amnesty law passed the Bundestag in 1955. It comprised an even larger group. All "whose deeds fell into the period from 1 October 1944 to 31 July 1945. Anybody who could claim that they had acted under the assumption that it was their official or judicial duty (*Amts-, Dienst-, oder Rechtspflicht*) or that they were carrying out an order from above was no longer to be put on trial if the expected punishment did not exceed three years' imprisonment.

221 The *Gesetz zur Regelung der Rechtsverhältnisse der unter Artikel 131 des Grundgesetzes fallenden Personen* (Organizational Law to Settle the Judicial Interests of Persons who are Eligible under Article 131 of the Basic Law)."

222 Frei, 30-37.

early-1980s. Only within the period of Vergangenheitsbewältigung was a German majority eventually willing to reflect "critically about the period of National Socialism."[223] What the allies had started in the 1940s, needed far more time and an sincere endogenous effort by the Germans themselves. Denazification could not be simply imposed, but needed self purification as well as the progress of democratic consolidation over more than two decades time.

Just as the late success of Vergangenheitsbewältigung would not have been possible without active involvement of the West Germans, the social transformation from an authoritarian state to a mature democracy depended on growing domestic support for the new Federal Republic of Germany. To foster support for democracy, the Allies promoted democratization from the top and from the bottom alike. During the occupation phase, the Allies used their strong position to influence the German learning process externally through a stick and carrot strategy, or through direct intervention. Basically, "the defeated [had] little choice but to comply. The suspension of sovereignty and the military occupation created political preconditions for the implementation of the Potsdam program that were well nigh inescapable."[224] Only some of those who had committed serious war crimes and were threatened by trials had fled the country, foremost to South America. Escape or emigration from the western occupation zones was no alternative for most of the Germans anyway. The majority put up with the situation.

Incidents of resistance against the occupation forces were almost zero; tendentious rumors about the persistence of the *Wehrwolf* (defence wolf) notwithstanding. Overall, the western occupation powers were perceived as much better than the Soviet Union. Americans especially enjoyed a high reputation as a norm entrepreneur. They were regarded as the "friendly enemy,"[225] the United States as a successful nation and because the memory of the U.S.-occupation in 1918-22 in the Rhineland was a positive one. This perception produced a favorable resonance towards western norms. This positive bias increased further with the strong U.S. commitment to

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223 Frei, 37-39.

224 Jarausch, 273.

225 Faulenbach, 13.

the people of Berlin during the First Berlin Crisis and the successful Berlin Airlift of 1948-9. Consequently, in their search for a new identity, "West Germans transformed themselves in the direction of the successful democratic model offered by the Americans, whose economic potency and relaxed lifestyle seemed highly attractive."[226]

The political transformation took place in stages. First, German self-government was formally restored, political life organized according to democratic standards. The Allies, step by step, handed over political responsibility to the Germans. However, the Allies used their control capacity during that process, closely regulating and intervening in political activities as they saw fit as late as 1952. When political parties were again allowed in Germany, first on the local, then on the regional level,[227] the Allies licensed only parties "with a democratic potential" in order to moderate the German party system and to ensure a democratic development. The Allies were especially on guard against rightist parties to prevent the return of Nazism.[228] Practically until the end of Allied party licensing in November 1949, refugees from the former east German territories were treated as a potential spoiler group and prevented from forming political parties. Only after the first general elections in the newly founded Federal Republic of Germany could the *Block der Heimatvertriebenen und Entrechteten* (Bloc of Expellees and Persons Deprived of Rights) emerge and represent their interests in politics.[229] Yet, even though there was still a lobby group that grieved about the lost German territories in the East, radical nationalism was not dominant in German domestic politics after 1945.[230] The Allies had even established the German *Länder* (states) boundaries in a way that seldom corresponded with the German Länder boundaries prior to the war in order to "discourage strong subnational loyalties that might interfere with commitment to the new national political system."[231] The modest bottom-up beginnings of German self-government and the founding of the Federal Republic of Germany took place under close Allied

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[226] Jarausch, 64.

[227] In August 1945 in elections on a regional level in the American occupation zone.

[228] Smith, 38-39; See also Rogers, 21-22, 31.

[229] Rogers, 110.

[230] Greiffenhagen, 17.

[231] Dragnich and Rasmussen, 327.

supervision. Delegates of the *Landtage* (land legislatures) drafted the *Grundgesetz* (Basic Law), the West German *pendant* to a constitution. The name of the document was chosen to express its provisional character, since the delegates "did not want to accept the division of Germany into two political systems...and provided that it would be replaced by a newly drafted constitution as soon as Germany was reunited."[232] For the same rationale, Bonn was chosen as the government seat.

The drafters of the Grundgesetz applied the lessons of Weimar and avoided the weaknesses of the Weimar Constitution. The first 19 articles, prominently prefixed, formulated the basic rights as the core of the new democratic German political system, centering around human rights, democracy,[233] rule of law, and the separation of executive, legislative and judicial power.[234] The Preamble of the German Basic Law also reflects the change in German policy from radical nationalism towards integration and the political aim "to serve world peace as an equal partner in a united Europe."[235]

The new electoral system had a reasonable threshold that prevented a counterproductive fragmentation of political parties. Splinter parties were not represented in parliament. These arrangements enabled stable governing coalitions (and this continuity, on the other hand, enabled the parties in governmental responsibility to solve the social and economic problems of the day and to gain trust from their constituencies).[236]

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232 Dragnich and Rasmussen, 337.

233 "The Federal Republic of Germany is a democratic and social federal state." Article 20, paragraph 1 of the Basic Law for the Federal Republic of Germany, Text edition – Status: December 2000, 23. http://www.bundestag.de/htdocs_e/parliament/function/legal/germanbasiclaw.pdf (accessed, April 19,2007)

234 Bracher, 14-16.

235 Im Bewußtsein seiner Verantwortung vor Gott und den Menschen, von dem Willen beseelt, als gleichberechtigtes Glied in einem vereinten Europa dem Frieden der Welt zu dienen, hat sich das Deutsche Volk kraft seiner verfassungsgebenden Gewalt dieses Grundgesetz gegeben. Die Deutschen in den Ländern Baden-Württemberg, Bayern, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, Nordrhein-Westfalen, Rheinland-Pfalz, Saarland, Sachsen, Sachsen- Anhalt, Schleswig-Holstein und Thüringen haben in freier Selbstbestimmung die Einheit und Freiheit Deutschlands vollendet. Damit gilt dieses Grundgesetz für das gesamte Deutsche Volk. Basic Law of the Federal Republic of Germany of May 23, 1949. http://www.bundestag.de/parlament/funktion/gesetze/grundgesetz/gg_00.html (accessed May 2, 2007).

236 Niclauß, 27.

Furthermore, the rights of the *Bundespräsident* (German President) were significantly reduced compared to Weimar and the rights of the *Bundeskanzler* (German Chancellor) strengthened accordingly. The President of the Federal Republic of Germany has a more representative function than an active role in daily politics. The Chancellor is the central authority in the government, based on his *Richtlinienkompetenz* (directive authority). The Chancellor needs to be legitimized by a majority in parliament and he can only be forced to resign in the context of a *konstruktives Mißtrauensvotum* (constructive vote of no confidence), thus only when a majority in parliament agrees on a new Chancellor to prevent a political deadlock.[237]

Amendments of the Grundgesetz require a two-thirds majority of both houses of Parliament, the *Bundestag* and the *Bundesrat*. Some provisions are not subject to change. These include the federal organization and the protection of basic civil liberties. Also, the Grundgesetz set up the *Bundesverfassungsgericht* (Federal Constitutional Court) that has the "power to annul acts of the legislature or the administration if they violate the Grundgesetz. The court is also authorized to forbid unconstitutional parties if such action is recommended by the Cabinet."[238] The Bundesverfassungsgericht banned the *Sozialistische Reichspartei* (Socialist Reich Party, SRP) as a neo-Nazi group in 1952, and the *Kommunistische Partei Deutschlands* (the German Communist Party, KPD) in 1956. [239]

The ideological split of Europe during the Cold War, between the liberal, Christian and social democracies in the West and the Communist authoritarian states in the East, surely also had an effect on the empowerment of the democratic norms after the war in Germany. The threat of Communism strengthened the Western identity of the people in the Federal Republic of Germany, which was at the same time a democratic identity. The choice for democracy and the choice for the West coincided. After the

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[237] Karl Dietrich Bracher, „Der erste Demokratieversuch und seine Folgen," *Die politische Meinung 358 (1999)*: 14.

[238] Dragnich and Rasmussen, 342.

[239] Frei, 36; Funke, 13-15; Jarausch, 280-281.

Second World War, most of Western Europe committed itself to democracy[240] and embraced the institutions of market-capitalism.[241] This choice was not automatic from the beginning. Communist parties remained influential for some time in Belgium, France, and Italy. Socialist ideals also remained in Germany (reflected in the Social Democratic programs up to Godesberg 1959 and in the Berlin wing of the Christian Democrats around Jacob Kaiser). In Germany there was a fierce debate about Adenauer's *Westpolitik* (policy of Western integration), centering on the issue whether a complete commitment to the West would forsake a future unification of the two Germanys. The domestic struggle between the Christian Democrats (CDU) and the Social Democrats (SPD) was finally decided in favor of the former.[242] For the first time in history Germany deliberately chose the West in contrast to the notorious "Rapallo policy" of swinging between East and West, what the French called "incertitudes allemande."[243] The military protection of NATO and "the solution of the problem of controlling the Ruhr through European integration strengthened the incipient ties to the West, while the Warsaw Pact and COMECON [Council for Mutual Economic Assistance] failed to achieve a comparable attraction for an orientation to the East." In the process of German military integration, occupation forces became partner forces. Also, the strong U.S. troop presence in the Federal Republic of Germany had a stabilizing effect on democracy.[244]

Strong external support succeeded in stabilizing the nascent Republic domestically. In contrast to Versailles, the Western Allies, particularly the United States, realized that a democratic and peaceful Germany could only be reconstructed by economic and monetary aid. The financial aid of the European Recovery Program (ERP), better known as the Marshall Plan (1947), a key element of American policy to contain

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240 Singer and Wildavsky, 20.

241 Dahl, 164.

242 For the SPD leader Schuhmacher "socialism and communism were forms of centralizing traditions of German statism**.**" Adenauer believed that economic success could only be guaranteed in an alliance with the United States of America. When he came into office as the first German chancellor of the FRG he declared that Germans belonged to the West and subsequently fostered Germany's integration in the western economic and political system. Herf, 18.

243 Faulenbach, 14.

244 Jarausch, 273.

Communism in West Germany and elsewhere, resulted in rapid economic development and stabilized the young democracy. Instead of leading to reparations, inflation, economic crisis and widespread unemployment, democracy was now seen as a norm that was capable of producing the so called *Wirtschaftswunder* (economic miracle) of Western Germany.[245] In Germany "the government is viewed largely as an agency of administration, the attachment to the political system is closely related to the ability of the government to satisfy pragmatic needs."[246] The rising standard of living in West Germany encouraged an acceptance of the new political system. People got used to the new regime and recognized its achievements. Prosperity supported both the internalization of liberal democratic values and the development of an emotional bond to democracy. Due to the favorable economic development, a large middle class evolved that was "sympathetic to democratic ideas and institutions."[247] Gradually, German patterns of thought and behavior were converging with Western models of a democratic political culture.[248] The early economical and political success of the young *Bundesrepublik* (Federal Republic) significantly facilitated norm empowerment.

### 4.    Outcome

The political shock of total defeat of the Third Reich offered the chance for a "democratic new beginning."[249] This third attempt to democratize Germany succeeded, yet only for the Western part of the country and with the active support of the occupation powers that controlled and actively supported the democratization process over a relatively long period of time.[250]

The institutional transformation, under the external pressure of an occupation regime, was the first step towards democracy. This was a necessary but insufficient

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[245] Greiffenhagen, 17.

246 Almond and Verba, 495.

[247] Dahl, 164.

[248] Jarausch, 16-17, 100.

[249] Ibid., 267.

250 Bracher, 6.

condition for norm empowerment. Initially, the imposed democracy was supported only by a minority. The more important step toward a stable democracy was the internalization of democracy that took place over a much longer time period, mainly after the Federal Republic of Germany had been founded. This process was "driven forward by critical Germans themselves."[251] External and internal forces combined to construct a Western based German democracy.

The Allied suppression of radical attitudes and the empowerment of democratic norms were important factors in the democratization process.[252] An appropriate constitution coupled with a favorable economic development also promoted a profound attitudinal change in German society. Yet, the growth of a stable democratic political culture took time. First, under Allied inducement and coercion, later voluntarily, German society gradually freed itself from its authoritarian political culture and replaced the traditional scheme with a model of Western democracy.[253]

In this connection, one should note that, in contrast to the Weimar experience and to that of the former Yugoslavia, soldiers in the Federal Republic of Germany played a positive role in the democratic consolidation, aided by colleagues in parliament and elsewhere is society who, without exception, had been witnesses to the democratic civil military failures of the 1920s that led, in turn, to the perversion of the soldierly and political ethos in the *Wehrmacht* in National Socialism. The Federal Republic of Germany had no private armies linked to political parties. Political conflict did not unfold in the streets of towns and villages in the guise of ideological struggle. It is true that Germans who adhered to anti-bourgeois ideals and retained a totalitarian mindset had a complete German state and armed forces in which to serve, something quite at odds with Weimar, but also, a fact, in retrospect of merit for the democratic consolidation of the Bundesrepublik. Such men were on the other side of the German *Mittelgebirge* (low mountain range) and not downtown in Cologne or Hamburg. Without a new Groener-Ebert deal, such figures as Heusinger, Speidel, Kielmansegg, de Maiziere and Baudissin

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251 Jarausch, 16, 101.

252 Verba, 169.

253 Greiffenhagen, 17.

were anything other than men such as Seeckt or later Blomberg, Keitel and Jodl. Each one had made his way in a demilitarized world of the half decade or more in which at least West Germany had no army whatsoever. Each man accepted the need to build the new army on a foundation offered by parliament of the German Grundgesetz, and each one saw the merit, if not the ease, with which West Germany could be integrated into the ranks of what had previously been the victorious powers and their armed forces. Although the Bundeswehr was not treated with the praise and propaganda of former times, its foundation and evolution posed no threat to democracy; on the contrary, with the ideal of Innere Führung it contributed greatly to the success of *Staatlichkeit* und *Demokratie* in Bonn.

Democracy had been widely rejected as an "import from the West" during the Weimar period.[254] In the Federal Republic of Germany, the democratic regime became very popular.[255] Due to dedicated norm empowerment, the gap between the imposed political system and German political culture gradually closed. Overall, the identification of the people with their regime was just the opposite compared to the development after the First World War. After a few years, a more passive attitude towards the West German democracy was replaced by approval.[256] An important criterion for the entrenchment of democratic attitudes, an "affective bond" to the new state, developed. Approval of democracy in West Germany not only followed from rationality, such as the Vernunftrepublikaner did in the Weimar Republic, but also from heart.[257]

About a decade after the war, democracy was stabilized in West Germany. The Federal Republic of Germany gained a status of semi-sovereignty in 1955, direct external influence decreased and was replaced by a more indirect, but "still effective form of watchful commentary by international public opinion" and the reserved powers of the allies concerning German reunification and Berlin.[258] The growing standard of living and

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254 Faulenbach, 13.

255 Greiffenhagen, 17.

256 Bracher, 15.

257 Greiffenhagen, 20.

258 Jarausch, 273.

significant improvements in the overall well-being of the populace resulted in a favorable attitude towards the political regime. Not only did the acceptance of the democratic regime and democratic procedures increase, but trust in such a system grew also. Since the mid-1960s the interest of the citizens to participate more actively in politics grew.[259] Eventually, the "values of democracy, antimilitarism, and international cooperation" became deeply entrenched in German society.[260] Democratic procedures have worked in Germany for a long period and "democratic assumptions, values, and patterns of behavior have become widely and deeply assimilated."[261] In a collective learning process a new German "post national identity" formed, a "culture of restraint" characterized by cooperation, multilateralism and pacifism.[262]

The German case shows how political culture can change and be changed. The often cited sentence that "Bonn was not Weimar" describes that change most strikingly. However, democracy could only take hold in Germany because it was supported by the people and became normatively internalized. External support promoted this development, but "the Germans' own contribution to the anchoring of democracy was certainly more decisive."[263]

Today, the Federal Republic of Germany is often regarded as a model for successful democratization in the aftermath of conflict. After the *Zeitenwende* in 1989/90 and its reunification, Germany became an exporter of liberal democracy, first to the rest of the country, later to the Central and Eastern European countries.

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[259] Ismayr, 14.

[260] Duffield, 773.

[261] Singer and Wildavsky, 20.

[262] Jarausch, 271.

[263] Ibid., 154.

## C.    BOSNIA AND HERZEGOVINA[264]

    264 Henceforth Bosnia. The chapter is based on the following literature: Fionnuala Ni Aolain, "The Fractured Soul of the Dayton Peace Agreement: A Legal Analysis," in *Reconstructing Multiethnic Societies*, ed. Dzemal Sokolovic and Florian Bieber, 63-94 (Aldershot: Ashgate 2001);, Dusan Babic, "Journalism in Post-Dayton Bosnia: How to Make the Media More Responsible," in *Reconstructing Multiethnic Societies*, ed. Dzemal Sokolovic and Florian Bieber, 157-166 (Aldershot: Ashgate 2001);, Florian Bieber, "Introduction," in *Reconstructing Multiethnic Societies*, ed. Dzemal Sokolovic and Florian Bieber, 1-7 (Aldershot: Ashgate 2001). Florian Bieber, "The Challenge of Democracy in Divided Societies: Lessons from Bosnia—Challenges for Kosovo," in *Reconstructing Multiethnic Societies*, ed. 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Ramet and Vjeran Pavlakovic, 227-251 (Seattle, London: University of Washington Press, 2005); Roland Paris, *At War's End: Building Peace After Civil Conflict* (Cambridge: Cambridge University Press, 2004); Sabrina P. Ramet, Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the Fall of Milosevic (Boulder: Westview Press, 2002); Sabrina, P. Ramet, "The Sirens and the Guslar: An Afterword," in *Serbia Since 1989: Politics and Society Under Milosevic and After*, ed. Sabrina P. Ramet and Vjeran Pavlakovic, 395-413 (Seattle, London: University of Washington Press, 2005); Axel Schwarz and Jean-Pierre Herges, "Institutionalised ethnicity: the case of vital national interests in Bosnia and Herzegovina (BiH)," in *Südosteuropa: Zeitschrift für Gegenwartsforschung*, Monatsschrift der Abteilung Gegenwartsforschung des Südost-Instituts München 52 (2003): 555-565; Laura Silber, "The Hero of Dayton. Slobodan Milosevic and the Politics of War and Peace," *World Policy Journal*, 13:1 (1996), 63-69; Dzemal Sokolovic, "Social Reconstruction and Moral Restoration," in

## 1.    Post-Conflict Situation

The war in Bosnia ended officially with the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Accords) on November 21, 1995, in Dayton, Ohio.[265]

Three and a half years of ethno-political war from March 1992 until November 1995 had turned Bosnia into a devastated country. Both the degree of physical destruction and social disorientation were high. The fighting and ethnic cleansing had claimed an estimated 200,000 lives.[266] Of a total Bosnian pre-war population of nearly four and a half million, about one half was displaced. More than a million Bosnians fled the country; another million people were internally displaced.[267] Thousands were homeless since most of Bosnia's infrastructure was destroyed or severely damaged.[268] The supply situation was catastrophic and the country was completely dependent on external support.

The intangible war damages were also high, though very difficult to estimate from outside. Radical nationalism and the longstanding, acrimonious war among Bosniacs, Croats and Serbs[269] had polarized a population into three deeply divided and separately administered parallel societies. The dense intermingling that was typical for Bosnia

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*Reconstructing Multiethnic Societies*, ed. Dzemal Sokolovic and Florian Bieber, 95-107 (Aldershot: Ashgate 2001); Thomas William Simon, "The Injustice of Procedural Democracy," in *Reconstructing Multiethnic Societies*, ed. Dzemal Sokolovic and Florian Bieber, 11-27 (Aldershot: Ashgate 2001); Margaret Vandiver, "Reclaiming Kozarac: Accompanying Returning Refugees," in *Reconstructing Multiethnic Societies*, ed. Dzemal Sokolovic and Florian Bieber, 167-195 (Aldershot: Ashgate 2001);, Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution After the Cold War* (Washington D.C.: The Brookings Institution, 1995).

265 American-mediated talks convened in November 1995 at a military base near Dayton, Ohio. After three weeks of intensive negotiation, the parties initialed the General Framework Agreement for Peace in Bosnia and Herzegovina on November 21 and formally signed the agreement in Paris. Roland Paris, *At War's End: Building Peace After Civil Conflict*, 99. The Dayton Peace Accords document is available via the webpage of the Office of the High Representative, The General Framework Agreement for Peace in Bosnia and Herzegovina, December 14, 1995. http://www.ohr.int/print/?content_id=379 (accessed May 13, 2007).

266 Like in other conflicts, the number of casualties was a highly politicized issue, and it was used for propaganda purposes by all sides during and after the war. Different authors use different figures. See Mazower, Gow, Judt, Paris, *At War's End: Building Peace After Civil* Conflict, 110. Malcolm, 252.

267 Vandiver, 168.

268 "Sixty percent of the homes in Bosnia-Herzegovina had been damaged; 18 % were totally destroyed. Entire towns and villages had been reduced to rubble," See Mockaitis.

269 Bosniacs, Croats and Serbs are mostly referred to as the three major ethnic groups in the multiethnic state of Bosnia, although all three groups can be traced back to one ethnicity, southern Slavs. Koschnik 517.

before the war had given way to ethnic homogenization. Consequently, the international peace building mission faced unprecedented challenges in its efforts to reconstruct the multi-ethnic state. The highest priority tasks were humanitarian assistance; the disposal and/or repair of damaged infrastructure; the demobilization of the three separate militaries and various paramilitary forces, and the latter's subsequent reintegration into society; the creation of new viable state institutions, particularly of the military, the police and the legal authorities; and a domestic reconciliation process of an unprecedented dimension in Europe.

The terms of the Dayton Peace Accords and its eleven annexes were the starting point for the social reconstruction project. According to the peace agreement, the territory of Bosnia was divided almost equally between two Entities. Areas mostly populated by Bosniacs (Muslims) and Croats formed the *Federation of Bosnia and Herzegovina* (51 percent of Bosnia's territory), areas with mostly Serb population formed the *Republika Srpska* (RS, 49 percent of Bosnia's territory), both neatly divided by the Inter-Entity Boundary Line (IEBL). Regardless of the boundary demarcation between the Entities, Dayton stipulated that the free movement of civilians throughout Bosnia would be ensured, refugees could return to their homes, and that the former parties to the conflict would "cooperate in the investigation and prosecution of war crimes."[270] Annex 4 of the Dayton Peace Accords contained a draft constitution. The Bosnian Constitution in its Preamble explicitly stressed the commitment to respect human rights and to establish democracy. Central national institutions, such as a three-member presidency (one from each of the three major ethnic groups), and a bicameral parliament would be formed. Over and above that, the Entities would have separate institutions; actually, most power resided in the Entities, which were also allowed to entertain "special relations" with their respective home countries Serbia and Croatia.[271] The Dayton Peace Accords dealt with many issues beyond a regular peace treaty. For example, the first national elections were

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[270] Dayton Peace Accords, Annex 4, Article 1; See also Roland Paris, *At War's End: Building Peace After Civil Conflict*, 99.

[271] "Central governing powers were kept weak, with many governing functions remaining at the Federation and RS entity level, which have their own governments and parliaments. Below the entity level are cantons and municipalities in the Federation and municipalities only in the RS." Kim, "Bosnia: Overview of Current Issues."

scheduled as part of the terms of the settlement for September 1996. They were to be held under supervision of the Organization for Security and Co-operation in Europe (OSCE).[272]

The main actors of the international community that took responsibility for the implementation of the Dayton Accords and supported the democratization process of Bosnia were the UN, the EU, NATO, the OSCE, the International Monetary Fund (IMF), and the World Bank.[273] The instrument through which the international community would direct the civilian implementation of the Dayton Peace Accord was the Office of the High Representative (OHR), an inter-institutional body created specifically to coordinate and guide the different agencies. The military implementation of the peace settlement took place under the authority of NATO with its 60,000 troops strong Implementation Force (IFOR) as a peace enforcement operation under Chapter VII of the UN Charter.[274]

The establishment of a democracy, of market economy and rule of law and, above all, the regeneration of multi-ethnicity was a daunting task since the most important prerequisites—internal peace and trust among the various ethnic groups—were completely lacking in the aftermath of the conflict.[275]

### 2. Cultural Match

The cultural match in the post-conflict phase can be regarded as negative ("-"). The people of Bosnia had had only a short experience with democracy in the Bosnian Republic after the breakdown of Communism at the end of the Cold War. However, to get a more complete picture of the political culture in Bosnia in the aftermath of the civil war, it is necessary to look at the broader Yugoslav context,[276] since until its referendum on independence on February 29 and March 1, 1992, and its subsequent recognition as an

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[272] Dayton Peace Accords, Article III, Annex 2 and Annex 4; See also Roland Paris, *At War's End: Building Peace After Civil Conflict*, 99.

[273] See Office of the High Representative, The General Framework Agreement for Peace in Bosnia and Herzegovina, December 14, 1995. http://www.ohr.int/print/?content_id=379 (accessed May 13,2007); For further information on individual tasks of the main international actors see also Gow, 294-295.

[274] Dayton Peace Accords, Annex 10 and Annex 1a.

[275] Schwarz and Herges, 555.

[276] Babic, 158-159.

independent state by the European Community (EC) on April 6, 1992, Bosnia was one of the Republics of the Socialist Federal Republic of Yugoslavia.[277] And a long era of belonging to Tito's Socialist Yugoslavia had had a deep impact on the political culture in Bosnia.

From the end of the Second World War until 1990, Yugoslavia was an authoritarian one-party state. Nevertheless, Yugoslavia was more liberal than most other Socialist countries. Communist-ruled Yugoslavia, as a non-aligned country, was internationally more open, more western oriented and more integrated into the world economy than any other Socialist country. Since 1955, Yugoslav citizens had been allowed to travel and to work abroad. As many as 690,000 of them had gone to Germany alone in the 1960s as *Gastarbeiter* (guest workers). Elements of Eastern and Western culture had melded into a unique composition of a multi-ethnic state, in which people held different loyalties and identities concomitantly.[278] The ethnic composition of Yugoslavia was reflected in its decentralized political structure. The main "nations," "defined by a common religion, language, and political consciousness"—Bosniacs, Croats, Macedonians, Montenegrins, Serbs, and Slovenes—enjoyed a large degree of autonomy within their respective Republics.[279]

Following the experience of the First Yugoslavia (1918-1941), Yugoslavia's Socialist regime was strongly committed to the idea of peaceful multi-ethnic coexistence and it prosecuted acts of nationalism as a threat to that ideal. The ideal of the multinational state was reflected in the guiding principle of *brotherhood and unity*.[280] Edvard Kardelj, Tito's chief ideologue, created an official state identity based on an ideology that stressed the uniqueness of Yugoslavia's political system in comparison to *hostile others*, such as to a liberal-democratic regime or to a statist regime. Kardelj did

277 The referendum on independence from Yugoslavia was boycotted by the majority of Bosnian Serbs. However, the results were in favor of independence. Lukic, 56; Malcolm, 231-233.

278 Woodward, 1, 29.

279 The republics "had administrative and budgetary autonomy over their economies, education, and culture." Woodward, 31.

280 That political commitment was also reflected in the constitution that prohibited "propagating or practicing national inequality and any incitement of national, racial, or religious hatred and intolerance." Ibid., 37-39.

not stress the "common ethnic, political and cultural characteristics shared by [Yugoslavia's] constituent nations." On the contrary, according to Dejan Jovic, he neglected all the "instruments that would in other types of social projects help strengthen internal cohesion, such as ethnic similarities, state centralism or nationalism in both civic and ethnic sense." Indeed, the ideological commitment to Marxism prompted the Yugoslav Communists "to underestimate the chance for a liberal democracy or nationalism to compete with socialism as a vision of the future society." The Soviet model of Socialism was declared "as the only real threat." Thus, the Yugoslav Communists became dependent on the continuation of the international order, especially of the *Soviet Other*. When the Soviet Union eventually eroded and then broke down, Yugoslavia lost "both pillars of [its ideological] identity: internal cohesion and an external difference." According to Jovic, this identity crisis "and not ethnic hatred, nationalism or the economic crisis, was the main reason why [Yugoslavia] disintegrated."[281] But, surely, the latter also had a strong influence on the events that followed.

For almost four decades "the mixture of constitutional principles and international ties that defined Yugoslavia had produced a relatively prosperous, open, and stable society." Yet, in the volatile economic and political climate of the 1980s (oil shocks, a debt crisis and rapidly growing inflation) and after the death of Yugoslavia's integrative political figure, Tito, in 1980 the failure of reforms threatened the internal balance and the Yugoslav compromise began to fall apart.[282]

Economic equality among the Republics had played a crucial role in Socialist Yugoslavia. Equality and *unity in harmony* could only be reached via the redistribution of wealth. The funds for the underdeveloped parts of Yugoslavia were the principal instrument of financial transfer from North to South. Yet, over time, the functions and the power of the federal government declined in favor of the Republican governments, and dissent over economic balancing increased accordingly.[283] This was fed by the rising

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281 Jovic, 291.

282 Woodward, 45; Silber, 66.

283 Woodward, 37-39.

radical nationalism in Serbia, which started after the 1974 constitution, accelerated when Milosevic came to power in 1986 and finally triggered the Croat nationalism. In the 1990s, a rapidly deteriorating economy, along with high rates of unemployment and hyperinflation resulted in the political polarization of republican and federal interests and led to political radicalization. Yugoslavia was at the brink of civil war.[284]

Towards the end of this highly unstable period of rapid political change and the failed attempt to transform "a socialist society to a market economy and democracy,"[285] consensus could no longer be reached among the Yugoslav Republics and the League of Communists of Yugoslavia broke apart. The Socialist state had become increasingly dysfunctional under economic crisis and rising nationalism. Its legitimacy eroded. People were disenchanted with Socialism and identified increasingly with ethno-nationalist slogans.[286]

In that strained political atmosphere the first multiparty elections were held in all Yugoslav Republics in 1990. The problems of the day and the resulting fears of the people created a fertile ground for nationalist extremists. In their election campaigns, politicians such as Franco Tudjman and Slobodan Milosevic exploited the economic problems, the growing economic inequality between the Republics, the declining standard of living, the high unemployment rates, and the hyperinflation in their rhetoric and preached ethnic division and hatred to an uncertain people.[287] Democratic norms had "no meaning in circumstances of scapegoating and demagoguery by dictators who [took] advantage of crises to further their own ends."[288] The nationalist strategy worked. In the first free and democratic elections in Yugoslavia, voters mostly ignored multi-ethnic, pan-Yugoslav parties and generally voted along ethnic lines. According to Huntington, the elections showed that "people identify with family, faith, and blood, and unless the rules of electoral engagement are very carefully constructed, politicians competing for

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284 See Mockaitis, 81; Woodward, 73.

285 Woodward, 15.

286 Mockaitis, 81.

287 Crocker et al., "Multiparty Mediation and the Conflict Cycle," 35.

288 David, 6.

office have little choice but to appeal for votes in these terms."[289] That had the worst implications on Bosnia, the Republic with the least homogeneous society. Regarding ethnicity, Bosnia looked like "an interwoven tapestry of overlapping minorities."[290] Every third marriage in Bosnia was among individuals from different ethnicities.[291] But still, the Socialist endeavor to create a common Yugoslav identity had had only limited success.[292] Bosnia had never been an independent state in modern times. Bosnia had been part of the Ottoman or of the Habsburg Empire until it came under Communist rule in the former Yugoslavia. As a result, there existed no common Bosnian identity.[293]

Thus, Bosnia was no exception to the general voting behavior in the Yugoslav Republics, and "the election results read more like a census of national identity in the socialist period." The nationalist parties, the Party of Democratic Action (SDA, representing the Bosniacs), the Croatian Democratic Union of Bosnia and Herzegovina (HDZ, a branch of the ruling party in Croatia), and the Serbian Democratic Party (SDS, representing Serbs outside Serbia) won the election of 1990 with results almost identical to a census in 1981. The SDA gained 33.8 percent of the votes, the SDS 29.6 percent, and the HDZ 18.3 percent. Consequently, the first national assembly in Bosnia was dominated by three ethnically-based parties that formed a grand anti-Communist coalition.[294] The power-sharing mechanisms that were established to accommodate the diverse interests soon broke down in fundamental disagreement about the principle direction this republic should take. Thus, instead of fostering democracy as in the other parts of Central Eastern Europe the same year, the first elections in Bosnia and in the

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289 Huntington, 6.

290 Judt, 668.

291 Dobbins, 91.

292 Even in Sarajevo, the capital of Bosnia, a multinational urban area, only 20 percent of its citizens regarded themselves as Yugoslavs. Judt, 668; yet, many citizens held multiple identities. Linz and Stepan, 35.

293 Dobbins, 91.

294 In 1991, Bosnia consisted of 44 percent Bosniacs, 31 percent Serbs, and 17 percent Croats. Judt, 668; Woodward, 122, 358.

other Yugoslav republics "became the critical turning point in the process of political disintegration over a decade of economic crisis and constitutional conflict."[295]

The disintegration of Socialist Yugoslavia, which reached a first culmination point when Slovenia and Croatia were recognized by the European Union as sovereign states in early 1992, had implications on Bosnia's domestic politics. Whereas the other seceding Yugoslav Republics had a more homogenous society with a dominating ethnic group, which made secession and identity formation easier, in Bosnia none of the three ethnicities was a majority which could dominate the others. The domestic disagreement over the future of the Bosnian Republic, over secession or unity with the "rump" Yugoslav federation (Serbia and Montenegro), with Bosnian Serbs in favor of unity, Bosniacs and Bosnian Croats in favor of secession, already reflected the upcoming period of struggle. The Badinter Commission's invitation to all republics to hand in their quest for independence and the subsequent referendum in Bosnia to determine its stance were the major steps on the road to war.[296] Boycotted by the Bosnian Serbs, a majority of 99 per cent voted for independence, which was subsequently recognized by the EU and the United States, though with great hesitation. By that time, the war had moved from Slovenia to Croatia and was threatening to move into Bosnia now. The Bosnian Serbs, fearing to become a minority in a new state where they were a majority before, seized the initiative supported by the Yugoslav Peoples Army (JNA), which was *de facto* controlled by the Serb Republic.

Thus, power sharing–the formula most characteristically recommended for this kind of ethnically divided society–failed after only a few months. A democratic culture could not evolve. Ethno-nationalism supplanted democracy, which had very few advocates in a country that had lived through decades of one-party rule. During the war, every ethnicity filled the resulting vacuum of central power and developed its own institutions and administrations in the municipalities or on the regional level. These war-time institutions were loyal to one ethnicity and hardly democratic in character. Yes, there was a democratic seed that could have grown, but the realities of a disintegrating

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295 Woodward, 118.

296 Ibid., 232.

Yugoslavia did not allow it to do so. And three years of war did much to destroy what remnants were there. Democracy building after 1995 had to begin from the ground up.

### 3. Norm Empowerment

Although the starting position for the democratization endeavor was not favorable since the most important prerequisite, trust among the different ethnic groups, was missing, there was at least a strong external commitment to make democracy work in the war-shattered country. The international community, represented by economically potent actors, was willing to empower democratic norms and to commit the required resources for the democratization project. However, after eleven years of external norm empowerment, democratic norms are still not as entrenched in Bosnian society as might have been expected, since the required support from within is not strong enough.

Five factors play a major role: (1) the weaknesses of the Dayton Peace Accords; (2) the restrained approach of the international community to implement Dayton; (3) the prevalence of ethnic nationalism in politics; (4) a lagging reconciliation process among the former warring parties (in combination with a lack of trust); and (5) the damaged reputation of the norm entrepreneur.

First, as concerns the Dayton Peace Accords, there are many opinions about the strengths and weaknesses of the Accords and especially about the Bosnian Constitution. In retrospect, the agreement seemed to be the best solution possible at the time of its creation, and also for the initial post-conflict phase. The Dayton Peace Accords were the result of compromise. The primary interests of the international community and the aim of the comprehensive contract were to stop the fighting and to prevent further violence in the region, not to tackle the root causes of the conflict, or to create the most favorable conditions for democracy.[297] Democratization was regarded as the right strategy for sustaining peace, but compromises had to be made towards that goal during the negotiations at Dayton. What today is regarded as the major shortcoming of the Bosnian Constitution and an obstacle towards a *normal* democratic structure and procedures—the

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297 Mockaitis, 117; Singer and Wildavsky, 171-172.

division into the three ethnic groups, the power-sharing among them and the strong Entities at the detriment of the central government—was a requirement in 1995.

Nevertheless, the goals of Dayton were ambitious. The draft Constitution was the "blueprint" for a unified democratic state of two multi-ethnic Entities.[298] Dayton sought to establish a political system that was entirely framed in ethnic terms, a fact that later had negative implications for internal norm empowerment and on the postwar development of the state.[299] Yet, at the time of the peace negotiations and in the first years of the post-conflict phase, this institutional division was the precondition for acceptability of the agreement in the first place, especially for the Bosnian Serbs. Finally ending the war was the supreme international interest in Dayton. The ethnic principle dominating in the new institutional framework gave people a feeling of security in their respective ethnic groups.[300] It could not be expected that the former warring parties would depart from the bargaining table, forget about the recent events, and subsequently focus common efforts on the recreation of Bosnian political unity in a democratic structure. Thus, in the short-term perspective of 1995, it was more important to reduce threat perceptions and to keep the peace among the groups than to take a long-term perspective and to try to create viable national democratic structures. The international community was aware of that weakness. When the Accords were signed, the institutional division of the three ethnicities was regarded "as a bad but necessary measure to find an end to the bloodiest conflict in Europe since World War 2 and [as] a chance to start rebuilding the war-torn BiH."[301]

At the time of the signing, the international community accepted that weakness to achieve its primary goal, aware of the fact that the ethnic division in the constitutional structure would not encourage inclusive policies.[302] A simple democratic majority decision-making process implied the danger that "one of the ethnic groups would have

298 Lyon, 110.

299 Bieber, "Introduction,"2-3.

300 Aolain, 88.

301 Schwarz and Herges, 556.

302 Aolain, 69-71.

been voted down on an issue considered to be of vital national interest to that specific group." Thus, sufficient institutionalized power sharing and veto mechanisms were seen as the best insurance against Bosnia's disintegration.[303] And although the Bosnian Constitution *de facto* divided the country into the two Entities, it also established "a common roof of national political, judicial, and economic institutions that would permit the country's three ethnic communities to coexist peacefully within a single state."[304]

Second, as concerns implementation, many observers and activists are sober. As appropriate as the framework might have been as an armistice in 1995, eleven years after living with that compromise, significant progress to move beyond Dayton has not been made. To make "Bosnia a stable, viable state with a robust rule of law and enduring central institutions, capable of making its way towards membership in the EU" it still has a long way to go.[305] From hindsight, the Dayton Framework was an acceptable starting position towards the endeavor "to transform Bosnia into a liberal democracy on the assumption that doing so would reduce the likelihood of renewed fighting."[306] Yet, in the first years of the post-conflict operation, the international community focused more on the latter than on the former.[307]

The military implementation of Dayton went smoothly. The strong presence of well equipped and well trained NATO troops did not invite resistance. The security situation in Bosnia improved quickly and constantly and over time the foreign military presence could be reduced.[308]

The civilian implementation of Dayton did not take such a favorable course. The primary instrument for the civilian implementation of the peace process as a whole, and

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303 Schwarz and Herges, 559.

304 Paris, *At War's End: Building Peace After Civil Conflict*, 102.

305 Ibid, 1.

306 Ibid., 99.

307 See Cox.

308 The EU took over responsibility for peacekeeping duties from NATO in December 2004. EUFOR's strength will be further reduced from 6,000 to 2,500 troops. Kim, "Bosnia: Overview of Current Issues."

for the empowerment of democratic norms in Bosnia, was and is the OHR.[309] The office holder, the HR,[310] is selected by and responsible to the Peace Implementation Council (PIC) that had been created for the coordination of international efforts to support Bosnia. However, since there were many different actors with their own agendas involved in Bosnia's physical and social reconstruction it proved difficult, in practice, to coordinate them.[311]

Whereas the military component for the implementation of the Dayton Agreement was relatively strong, the civilian component, initially, was comparatively weak. That weakness proved to be a major disadvantage to ensuring the full implementation of Dayton, especially against spoilers.

The ability of the international community to empower democratic norms depended heavily on the HR, and his achievements depended foremost on two factors: his formal authority and the personality of the office holder.[312] Regarding authority, one can distinguish between the period prior to and after the establishment of the so called *Bonn powers,* the legitimization of the HR "to break through political stalemates, push difficult

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309 According to the Dayton Peace Accords, Annex 10, the OHR as an institution was created to oversee the implementation of civilian aspects of the Accord.

310 The HR is also the EU Special Representative (EUSR) in Bosnia and Herzegovina. The HR "is working with the people and institutions of Bosnia and Herzegovina and the international community to ensure that Bosnia and Herzegovina evolves into a peaceful and viable democracy on course for integration into Euro-Atlantic institutions. At its February 2007 meeting, the Steering Board of the Peace Implementation Council, the international body guiding the peace process, concluded that the OHR should aim to close on 30 June 2008. In the intervening period, the OHR is working towards transition – the point when Bosnia and Herzegovina is able to take full responsibility for its own affairs. At the same time as the OHR is preparing for its closure, the European Union is increasing its commitment to Bosnia and Herzegovina. The EUSR, who has a mandate to promote overall EU political coordination among other things, is currently developing an office that is co-located with the OHR and will remain in Bosnia and Herzegovina after the closure of the OHR." See OHR webpage, http://www.ohr.int/dpa/default.asp?content_id=366 (accessed May 16, 2007)

311 "Lack of a shared strategic vision; uncoordinated leadership; duplication and lack of communication; personality clashes and cross-cutting institutional interests; and ineffectual management of economic reform" are named as the major problems under which the peace building efforts of the international community suffered in the first years. See International Crisis Group, "Bosnia: Reshaping the International Machinery," *Europe Report 121*, (2001), 1. http://www.crisisgroup.org/home/index.cfm?id=1495&l=1. (accessed November 24, 2006); See Dobbins, 94.

312 So far, five officials were nominated: Carl Bildt (1996-1997), Carlos Westendorp (1997-1999), Wolfgang Petritsch (1999-2002), Lord Paddy Ashdown (2002-2006), and since January 2007 Christian Schwarz-Schilling.

reforms forward, and even to remove obstructionist leaders."[313] Before the establishment of the Bonn powers, the international community could only pursue a limited stick and carrot approach against potential spoilers of the peace and democratization process. Thus, the first HR, Carl Bildt, had a relatively weak position and relied foremost on the good will of Bosnian political elites to cooperate in Dayton's implementation. The result was often non-compliance or only selective implementation.[314] Due to the obvious obstruction by Bosnian politicians, there was a growing consensus within the international community that stronger measures were needed to impose "democracy on Bosnia through external means."[315]

The introduction of the Bonn powers in December 1997 was a crucial turning point for the role of the HR since it made him the highest authority in Bosnia and enabled him to intervene directly in political affairs.[316] Until Schwarz-Schilling became HR, his predecessors used the Bonn Powers with increasing frequency[317] "to institute significant reforms, including passing laws, amending constitutions, issuing executive decrees, appointing judges, freezing bank accounts, overturning judicial decisions and removing and banning elected politicians and others from holding office or position."[318]

Practical experience showed that progress could be made towards the goal of a unified state when the international community enforced its will to create common institutions. More recently, parallel institutional structures have been dismantled and several new central institutions imposed in Bosnia, such as a common defense ministry

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313 The PIC decided in December 1997 at its conference in Bonn to extend the HR mandate to include the right to impose laws and to remove officials. Kim, "Bosnia: Overview of Current Issues."

314 Bosnian politicians primarily tried to strengthen their ethnic fiefdoms, RS and Bosnian Croats openly flouted Dayton obligations. International Crisis Group, "Bosnia: Reshaping the International Machinery," 4.

315 Chandler, 113-114.

316 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," Europe Report No 180, (2007), i. http://www.crisisgroup.org/home/index.cfm?id=1495&l=1 (accessed May 2, 2007).

317 In their respective term Carlos Westendorp used the Bonn powers 76 times, Wolfgang Petritsch 250, and Paddy Ashdown 447 times. International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy,"5.

318 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," 4-5.

and a central bank. Furthermore, other integrating elements, such as a common currency, common license plates and state symbols have been established.[319]

In spite of these successes, the Bonn powers are controversial since their extensive application turned Bosnia *de facto* into an international protectorate with negative side effects for democratic responsibility. Imposition runs counter to ownership, a principle very much upheld by the international community in Bosnia as it is the prerequisite for the "internationals' to leave. The Bonn powers might have improved efficiency, but they have also slowed down or even have prevented democratic processes. International transitional governance in the long run is counterproductive to democratic self-determination, since local initiatives are stifled.[320] Surely, political solutions are reached faster if final decisions are imposed from above, but this quasi authoritarian rule de facto also relieved Bosnian politicians from their obligation to cooperate in democratic processes across ethnic borders and to take local ownership for their affairs.

Thus, each of the HRs had to carefully balance ownership and imposition, and they strongly diverged on this point. Due to rising frustration, the temptation of imposition often won the day. However, the current office holder stated upon taking office that "extensive use of the Bonn powers would be counterproductive. It would maintain a damaging culture of dependency and prevent locals from forging an authentic and home-grown, post-war political consensus."[321] Consequently, Schwarz-Schilling made the decision not to use the Bonn powers to impose legislation and defined his role more as "an advisor than a ruler," as a supporter of domestic democratic processes. He saw (and sees) the primary means of his function in dialogue with the responsible elites instead of imposition and pressure.[322] Since the international presence is fading out, this policy is a crucial test for the young democracy in Bosnia.

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319 Lyon, 110; International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," 5; Cox, 17.

320 Bugajski, 179.

321 OHR Press Office, Article by Christian Schwarz-Schilling, High Representative for BiH: I Won't Impose Laws.

322 OHR Press Office, Interview: Christian Schwarz-Schilling, High Representative for BiH: Bosnia Run by the Bosnians.

However, others tried before and failed. Former attempts to activate local ownership in Bosnia in order to consolidate democracy have failed due to a stable pattern of persisting attitudes within the political elites and their constituencies. Spoilers to the peace and democratization process remained influential after the war. Additionally, many politicians had and have not given up their prewar goals and thereby kept nationalism alive among their constituencies. In the 2006 election campaigns, nationalist rhetoric was even used by politicians who are considered as more moderate.[323]

Overall, compared to postwar Germany the international community hardly interfered in Bosnian politics to disable actual or potential spoilers. Although the media monopoly of Bosnian Serb hardliners was broken[324] and a number of Bosnians were removed from public offices or excluded from political party leadership, nationalist parties were not generally banned from politics and no democratic reeducation program was initiated. Instead there was a lot of continuity in Bosnian politics. Consequently, the political culture in Bosnia is still dominated by nationalism and nationalist parties, and the latter are still scoring successes at the ballot box.[325]

Third, as concerns ethno-nationalism, the early hopes soon collapsed. Elections were perceived as one of the primary instruments to implanting a democratic culture and overcome the ethnic division. The first national elections were held relatively early after the cessation of war activities in September 1996. Warnings that "elections held so soon after the cessation of hostilities would merely consolidate the power of extremist nationalists who had a vested interest in resisting the reconciliation of Bosnia's ethnic communities" were overheard.[326] And that was exactly what happened. Nationalists cemented their power through democratic processes,[327] "the most belligerent and narrowly nationalistic political parties within each of the three communities…swept the elections

323 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," 5, 17-19.

324 Cohen, 109.

325 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," 8.

326 Paris, *At War's End: Building Peace After Civil Conflict*, 100-101.

327 Lyon, 111.

at both the national and the entity level."[328] Tito's system that placed all economic, political and legal power in the hands of one ruling political party, thus "remains alive throughout Bosnia and Herzegovina, relatively unchanged. Since 1992, little actual reform had occurred, and three one-party political systems remain in place."[329] In consequence, the new democratic institutions have been dominated by politicians who opposed cooperation with the other ethnicities.[330] Legitimized through elections, the nationalists began to obstruct the implementation of Dayton and the reconciliation efforts.[331]

The international community did not stand idly by but applied a stick and carrot approach to influence the domestic political situation. Although the international community had not banned nationalist parties, it exercised pressure to prevent their participation in the government after their success in the elections.[332] However, even though more moderate leaders also gained influence with support of the international community, the ethnic element has remained strong and still divides Bosnian politics.

Fourth, the ethnic element, so far, has also prevented significant progress towards reconciliation within Bosnian society. A major step towards reconciliation is dealing with the recent past, particularly with the atrocities that occurred during the war. Gow stresses

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328 Paris, *At War's End: Building Peace After Civil Conflict*, 101; Lyon, 111.

329 These parties were the Muslim Party of Democratic Action (SDA), the Croatian Democratic Union (HDZ), and the Serbian Democratic Party (SDS). Roland Paris, *At War's End: Building Peace After Civil Conflict* (Cambridge: Cambridge University Press, 2004), 103; Lyon, 113.

330 For example, "many of the newly elected Bosnian Croat and Serb leaders, in particular, were reluctant to participate in the very national institutions to which they had been elected. The pan-Bosnian parliament was scheduled to hold its first meeting in October, but it did not actually convene until January 1997 because Serbian representatives refused to swear allegiance to a united Bosnia." Paris, *At War's End: Building Peace After Civil Conflict*, 101.

331 For example: Bosnian Serb and Croat leaders refused to appoint members to the new constitutional court. Bosnian Croats attempted to retain their separate institutions, rather than merge them into the new entity-level government. Roland Paris, *At War's End: Building Peace After Civil Conflict* 101-102, 111.

332 For example: The Serb Radical Party (SRP) was not allowed to register for the municipal elections in spring 2000, because its political leaders were accused of obstructing the implementation of Dayton. Dobbins, 103. The United States ambassador to Bosnia, Thomas Miller, warned in Banja Luka in early December 2000 that Washington would no longer provide funds to Republika Srpska if the SDS was allowed to form a government; Chandler, 115.

"the process of making the truth known was of psychological, as well as social and political value. This was central to any process of rehabilitation and reconciliation."[333]

Beginning in May 1993, the UN established the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague (pursuant to Security Council Resolution 827). In the first years of its existence, only a few cases could be brought before the ICTY.[334] To get hold of indicted war criminals and thereby improve the effectiveness of the ICTY, the international community applied the principle of political conditionality. Only full cooperation with the ICTY would allow Bosnia to make progress in its effort to integrate into the Euro-Atlantic institutions. Until 2004, the limited cooperation of the RS with the ICTY had contributed to the slowdown of Bosnian efforts to become a member of NATO's Partnership for Peace (PfP) program and to take further steps towards EU membership (completion of the Stabilization and Association Agreement, SAA). Yet eventually, massive external pressure from the international community resulted in compliance. In December 2003, the RS government established "The Commission for Investigation of the Events in and around Srebrenica between 10th and 19th July."[335] The purpose of the working body was to uncover the war crimes committed in Srebrenica. The RS government declared this effort as a measure to build confidence and to establish

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333 Gow, 296.

334 The ICTY is the first war tribunal since the Nuremberg and Tokyo tribunals. Prominent figures and high ranking war criminals such as Radislav Kristic  and Slobodan Milosevic were brought before the tribunal. Slobodan Milosevic is accused of grave breaches of the 1949 Geneva Conventions, violations on the laws or customs of war, crimes against humanity, and genocide. The trial against the former Serbian President handles his responsibilities for war crimes committed in Bosnia, Croatia, and Kosovo as one case. Osland, 231, 235.

335 "The RS government established the Srebrenica Commission in order to comply with March 2003 Human Rights Chamber decision which ordered the RS Government to inform families of the fate of their missing relatives from the Srebrenica massacre and to investigate thoroughly the events giving rise to the massacre and report on the results of the investigation." United States Department of State, "Bosnia and Herzegovina: Country Reports on Human Rights Practices  - 2004, *Released by the Bureau of Democracy, Human Rights, and Labor*. February 28, 2005. http://www.state.gov/g/drl/rls/hrrpt/2004/41673.htm (accessed May 18, 2007).

lasting peace in Bosnia.[336] Former RS Prime Minister Mikerevic and RS President Cavic officially apologized on behalf of the RS government for Srebrenica.[337] Furthermore, the RS government has constantly transferred indicted persons to the ICTY over the last three years.[338]

General Ratko Mladic and Radovan Karadzic have evaded punishment so far, and the international community announced that the ICTY would not close its doors before all remaining fugitives were brought to justice. Since 2005, minor cases of war crimes have been dealt with before the Bosnian War Crimes Chamber in Sarajevo.[339]

The punishment of those responsible for war crimes is only one side of the coin. The other, more important side is that people move beyond the war atrocities, since the latter can also still be exploited in the rhetoric of extremist politicians to keep animosities between the ethnicities awake. Reconciliation between the different ethnicities is the prerequisite for progress in other areas. Two aspects seem to be equally important for reconciliation, the willingness of one side to admit atrocities and the willingness of the other side to accept apologies, so that both sides can form a new beginning. Living in a multi-ethnic Bosnian society requires overcoming the stereotypes that were strengthened during wartime and getting to know each other again as people of a different ethnic background with shared hopes and, if looked upon more rationally, with common goals. However, emotions still have a stronger influence on attitudes and behavior of the people than rational cost-benefit analysis. In light of the fact that consequences of war are still

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336 RS authorities took responsibility for the Srebrenica massacre for the first time. Two reports were issued on the findings of the commission. Both reports are available on the internet: Bosnia and Herzegovina Republika Srpska, Republika Srpska Government. "The Events in and around Srebrenica Between 10th and 19th July 1995." Report from the Commission for Investigation of the Events in and Around Srebrenica Between 10thand 19th July 1995. Banja Luka, June 11, 2004.http://www.vladars.net/pdf/srebrenicajun2004engl.pdf (accessed May 18, 2007); Bosnia and Herzegovina Republika Srpska, Republika Srpska Government. "Appendum to the Report of the 11th June 2004 On the Events in and around Srebrenica Between 10th and 19th July 1995." Report from the Commission for Investigation of the Events in and Around Srebrenica between 10thand 19th July 1995. Banja Luka, October 15, 2004. http://www.vladars.net/pdf/srebr_final_e.pdf (accessed May 18, 2007).

337  United States Department of State, "Bosnia and Herzegovina: Country Reports on Human Rights Practices  - 2004, *Released by the Bureau of Democracy, Human Rights, and Labor*. February 28, 2005. http://www.state.gov/g/drl/rls/hrrpt/2004/41673.htm (accessed May 18, 2007).

338 For a chronology of transfers of indicted persons to the ICTY since early 2005 see Kim, "Balkan Cooperation on War Crimes Issues."

339 Ibid.

visible throughout society and that the memory of wartime is still fresh, one can conclude that it will take considerable time to overcome the past.

Sokolovic argues for the establishment of an *educational protectorate* in Bosnia to overcome nationalism and to foster bottom-up support for democracy, since bottom-up motivation to accept new democratic norms and broad and positive resonance to democracy throughout society is key to achieving long-term success.[340]

Yet this motivation is also influenced by the reputation of the norm entrepreneur, the last factor considered here. The reputation of the West suffered severely in the eyes of the Bosnian population during wartime, especially the image of the Europeans; first, due to the unwillingness of the West to stop the Bosnian war in an earlier phase, and later, due to the way the West dealt with that war. Initially, Western measures were focused on keeping Yugoslavia together at almost all costs. Then, conflict containment, i.e. avoidance of horizontal and vertical escalation, became the primary goals, along with humanitarian relief. Apart from the International Conference on the Former Yugoslavia, which led nowhere, there was no concerted international effort to end the war until 1995. Sanctions, UN peacekeeping, humanitarian operations, the no-flight zone and safe havens were all designed to limit, not to end the war. The UN mission, UNPROFOR, was perceived as weak and incapable. The military personnel were hardly able to defend themselves, as was demonstrated when UN personnel were taken hostage in 1994, nor of keeping the warring parties apart or avoiding the massacre at Srebrenica.[341] In the final analysis, the international community accepted the suffering in Bosnia, especially of the weakest part, the Bosniacs, who were most hampered by the arms embargo.[342] Thus, frustration arose among the Bosniacs and a mood of "free riding" based on the perception of a weak West among Croats and Serbs. The failure to capture Karadzic and Mladic later added to that.

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340 Sokolovic, 104.

341 For a more explicit description of the failure of the UNPROFOR in Bosnia see Mockaitis, 79-113; Major war atrocities occurred in and around Srebrenica declared by the UN as "safe area" after the UNPROFOR commander handed the area over to the Bosnian Serb Army Commander General Ratko Mladic. See Gow, 265-273.

342 Malcolm, 242-243.

Disagreements over the right strategy to contain the war delayed a unified and robust Western action to end the conflict. Only through the NATO air campaign (Operation Deliberate Force) were the warring parties finally brought to the bargaining table in the fall of 1995. The Air Campaign and the strong troop presence of IFOR in the post-conflict phase had a quick pacifying effect and generated respect especially for NATO and the U.S. After the war, the economic power of the West was attractive, since Bosnia depended on external aid. Financial incentives could buy cooperation and some politicians offered cooperation only in exchange for financial support "or threaten[ed] to maintain open obstruction of Dayton's implementation" should that aid be withheld.[343]

However, emotions are stronger than utility analyses, and political conditionality has only a limited influence on the decisions taken in Bosnia. Obviously, people do not sell their vote to Western-backed parties to achieve a better life and financial support from the West.[344]

The international context also initially had a negative effect on reconciliation and democratization efforts in Bosnia. The governments of Slobodan Milosevic and Franjo Tudjman, in Serbia and Croatia respectively, acted as external spoilers who closely coordinated their policies with the respective counterparts in Bosnia. This further strengthened the obstructing groups in Bosnia. Only after Milosevic and Tudjman left office and democratic successors followed, did Croatia and (partly) Serbia join the international community in its efforts to stabilize Bosnia.[345]

### 4. Outcome

After enduring war and ethnic cleansing, people were tired of war and ripe for change. But the various ethnic groups so far have not been ready to show forgiveness or to reconcile. Three and a half years of intra-state conflict put the different ethnicities far apart. Thus, democratization of this society with strong internal tensions and post-conflict

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343 Lyon, 111.

344 Chandler, 114.

345 Bugajski, 180.

burdens proved to be more difficult than expected.[346] Even under the constant engagement of the international community, Bosnia has only made slow though steady progress within the last eleven years. Presently a stable peace is missing, and the social reconstruction project lags behind.

In spite of the slow progress, much has been achieved, especially as concerns institution building and reconstruction. The infrastructure has been rebuilt, existing institutions have been overhauled, and new democratic institutions have been created. The country has changed. When the post-conflict operation started in 1995, Bosnia was devastated; it had three separate armies, three separate police forces, and a weak national government that existed mostly on paper.[347] Today, many democratic institutions are in place and working. The Presidency has advanced defense reform.[348] Bosnia created a State Ministry of Defense in January 2006, and the Entity MODs were dissolved. However, ethnically mixed units have not been created yet. Furthermore, Bosnia has met the North Atlantic Council (NAC) criteria for Partnership for Peace although its membership was delayed due to the failure to capture and to arrest indicted war criminals.[349]

Also, overall, the judiciary in Bosnia is judged as independent. "A Code of Ethics" containing "guidance to judges and prosecutors for exercising their authority in a fair, transparent and independent manner" has been introduced.[350] However, obstacles to an efficient judiciary prevail in the institutional structure with "four parallel and separate jurisdictions, incoherent systems of law, directives coming from fourteen Ministers of Justice."[351] Still, according to the European Commission, "the judicial system is not completely free from political interference."[352]

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346 Singer and Wildavsky, 169.

347 Lyon, 110.

348 Commission of the European Communities, 7.

349 Until December 2006. Ibid. 11.

350 Ibid.

351 State, both Entities, ten cantons, the Brcko district, See Commission of the European Communities, 11-12.

352 Ibid., 11.

Regarding human rights and the protection of minorities, Bosnia has ratified all major UN and international human rights conventions, as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms. Yet, actual implementation of these instruments still needs to improve.[353]

The presidential and parliamentary elections at State, Entity, cantonal, and Brcko district level on October 1, 2006, were the first elections since Dayton which were "fully administered by the authorities of BiH...and [also] conducted generally in line with international standards."[354] However, the elections again underlined the ethnic cleavages that persist throughout Bosnian society.[355] Nationalist rhetoric both from Serbs and from Bosniacs dominated the pre-election period and had an adverse effect on overall reform implementation.[356] Police reform stalled. The constitutional reform intended to transfer competencies from the Entities to the state also failed.[357] In that sense, Bosnia still suffers under the legacy of the Dayton Peace Accords and under the inadequacy of the Bosnian Constitution. Even though the Entities have been weakened and central institutions have been established, the central government is not strong *vis-a-vis* the Entities.[358] Complex political structures prevent timely decision-making and reform. Further efforts to enhance central competencies at the state-level and to create "a more democratic and efficient state" have failed so far.[359]

However unsatisfactory the velocity of progress might be, it is unlikely that democracy will fail in Bosnia in the long run. Peaceful means of dealing with conflict have become widely accepted, and Bosnia has reached the status of a nascent democracy. The main obstacle for the full implementation of the Dayton Accords and for significant

353 Commission of the European Communities, 13.

354 Ibid., 7.

355 Kim, "Bosnia: Overview of Current Issues."

356 See Freedom House, "Nations in Transit: Bosnia-Herzegovina" Country Report, (2006) http://www.freedomhouse.org/template.cfm?page=47&nit=413&year=2006 (accessed May 13, 2007); International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," i.

357 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," 4.

358 Freedom House, "Nations in Transit: Bosnia-Herzegovina."

359 Commission of the European Communities, 6.

steps towards a more consolidated democracy is the prevalent, strong ethnic nationalism throughout the country.[360] Thus, real progress depends on the willingness to overcome nationalist thinking and to develop a shared national identity. When the people of Bosnia adopt the multiple identities they had in the past, then the different ethnicities can coexist in a viable democratic state. The optimum would be for people to regard themselves first and foremost as Bosnians, and only secondarily as Bosniacs, Croats, and Serbs. However, it would be sufficient if at least tolerance for other ethnic groups and respect for democratic institutions would spread as a means of peaceful conflict resolution. This is in the Bosnians' common interest. Bosnia has "made marked progress toward closer integration into Euro-Atlantic structures."[361] Yet, it can join the European community only when it has overcome its internal division. Prospects of EU membership and external incentives have not been sufficient to overcome the domestic division along ethnic lines.[362] Although the international community has tried to empower democratic norms and also significantly supported the democratization process in Bosnia, the result so far is only a partial success. Nationalism needs to be overcome to move Bosnia further towards a consolidated democracy. This requires that all ethnic groups "vest their interests in the multinational project" and cooperate voluntarily.[363] Working together can improve relations among ethnic groups and finally enable them to overcome nationalism and to lessen the influence of extremists of all colors. Socioeconomic progress is crucial for that, as well as a viable and common European perspective. The international community can promote the normative reorientation process, but success eventually depends on the people of Bosnia and domestic support for democracy.

In 2007, Bosnia is still ethnically divided. The peace in Bosnia is fragile and foreign troop presence is still necessary to keep the multi-ethnic state together. Fortunately, the international community is willing to continue its support in order to

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360 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," i.

361 Freedom House, "Nations in Transit: Bosnia-Herzegovina"; International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," i.

362 International Crisis Group, "Ensuring Bosnia's Future: A New International Engagement Strategy," i.

363 Bieber, 119.

stabilize the nascent democracy externally and to maintain patience until domestic groups have formed in sufficient numbers to support democracy from within.[364]

## D.    CASE COMPARISON

The three case studies show common patterns as well as diversities. All three countries, in the post-conflict phase, were perceived as posing a threat to European security due to the radical nationalism that led to war and prevailed in the respective society in the aftermath of the conflict.

Diversities among the cases include (1) the quality of the cultural mismatch; (2) the degree of dependency on external support); (3) the quality of norm empowerment; (4) the reputation of the norm entrepreneur; (5) the composition of the society (homogenous vs. nonhomogeneous) and the quality of the reconciliation process; and (6) the outcome of the democratization endeavor (rejection, or acceptance and internalization of democratic norms).

First, in all three postwar societies, there was a negative cultural match, but the quality of the mismatch differed. In Germany after 1945 the cultural mismatch was the largest as compared to the cultural mismatch of 1918 (rather negative) or to the cultural match in Bosnia (the least negative among the three cases).

The political culture in Germany after 1945 was characterized mainly by militarism, nationalism and statism. Democracy did not have a good reputation after the disappointing experience with the Weimar Republic. Yet, the total defeat of the Third Reich had also discredited the former belief system and generated an opening for the democratic alternative. There also existed a vacuum in leadership, since the political leadership of the Third Reich was either dead, imprisoned or had left the country. Furthermore, people in Germany expected that democracy would again be imposed after the total defeat of the Third Reich and were mentally prepared for a regime change.

The political culture in interwar Germany was characterized mainly by authoritarianism, militarism and revisionism. The attitude towards democracy was ambivalent, and support for the imposed regime was widely missing. Democratic norms

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[364]"International community plans to substantially reduce the overseeing role in Bosnia have been put off until mid-2008." See Kim, "Bosnia: Overview of Current Issues."

were rejected domestically, both by elite groups and by an increasing majority of the people. The lack of experience with democratic processes and an undeveloped democratic culture where the need to compromise was not accepted made it difficult to transform the existing political culture. Even the representatives of moderate political parties did not rely on democratic procedures—in solving political conflicts by peaceful means. Confrontation dominated cooperation and even led to acts of politically motivated violence.

The political culture of Bosnia is comparable to that of Weimar in certain aspects, especially the latter. People in Bosnia had almost no experience with a multiparty parliamentary democracy. They were able to gain only a small measure of experience with democratic procedures during the short period between the end of the Cold War and the violent break-up of Yugoslavia. During the transformation to a post-communist society, the domestic situation was volatile, characterized by widespread fear and uncertainty. People gathered around their own kind, and ethno-nationalism polarized and divided Bosnian society and politics along ethnic lines.

The three societies also differed in their openness to regime change. German society after 1945 had been more open to change than after 1918. After 1918, trust in the authoritarian system was alive and well; whereas the totalitarian system was discredited completely after 1945. The people in Bosnia were also open to democracy because of their disappointing experience with Socialism, since the Socialist state had lost legitimacy due to its inability to cope with the economic crisis of the late 1980s.

Second, the war produced different opportunities for the international community to use leverage in order to promote norm change. Germany after the First World War can be regarded as a deviating case, since the country did not have to suffer the otherwise typical consequences of physical war damage and destruction within the country. The situation in Germany after 1945 was just the opposite and similar to that of Bosnia after the war, creating a high degree of dependency on external support and thereby leverage for the international community. Both Germany after 1945 and Bosnia were completely dependent on external support to overcome a humanitarian catastrophe. In both countries the international community established a transitional administration and exercised direct

governmental control. The Allies were almost in complete and direct control over West Germany during the transitional administration in the zones, and Bosnia can still be regarded as an international protectorate.

Third, norm empowerment also differed among the cases. In interwar Germany, international actors were not interested, and after the Great Depression, also not capable of influencing democratic development in Germany. Norms were empowered neither externally nor internally. State institutions were not democratized, and no measures were taken against potential or actual spoilers. Spoilers remained in influential positions in public offices and could fully unfold their potential when the economic situation deteriorated. Anti-democratic propaganda lessened the support for the new regime even further. Political fragmentation led to inconsistency in politics and apparently demonstrated the inability of the unsupported democratic government to cope with the problems of the day in a volatile period.

In Germany after 1945, the Allies promoted democratization much more forcefully top-down and bottom-up alike. Potential spoilers were effectively prevented from entering politics and the media were democratized. The democratization process was further supported by a broad reorientation program and an active process of coming to terms with the past that also laid the foundation for reconciliation with the former enemies and for the integration in Euro-Atlantic structures. The political transformation took place in stages. First, German self-government was formally restored, and political life organized according to democratic standards. The Allies, step by step, handed over political responsibility to the Germans. However, the Allies used their control capacity during that process, intervening in political activities as they saw fit as late as 1952. The new electoral system successfully prevented a counterproductive fragmentation of political parties and enabled stable governing coalitions. Political continuity enabled the parties in governmental responsibility to solve the social and economic problems of the day and to gain the trust of their constituencies. Strong external support succeeded in stabilizing the nascent Republic domestically. Prosperity supported both the internalization of liberal democratic values, and the development of an emotional bond to democracy.

Although the willingness and the commitment of international actors to empower democratic norms in Bosnia were strong, the international community did not have a common strategy (comparable to the Potsdam program) to implement democracy and the overall approach was more restrained than in Germany after 1945. Particularly in the period before the establishment of the Bonn powers, the position of the HR was too weak to intervene adequately in politics in order to contain spoilers and to promote democratic processes. After the Bonn powers were formulated, a relatively small number of Bosnians were removed from public office or excluded from political party leadership, nationalist parties were not generally banned from politics, and no democratic reeducation program was initiated. Compared to the Denazification program, the removal of some prominent spoilers from politics was not enough to promote an attitudinal change among the Bosnian population.

Also, the constitutional framework of the Dayton Peace Accords was and is an obstacle towards normal democratic structures and procedures on the national level. Instead of creating a united and democratic Bosnian state, de facto two democratic "Entity" subunits were created. However, the HR imposed several new central institutions in Bosnia by the application of the Bonn powers.

Fourth, in the cases where the reputation of the norm entrepreneur was better, people adopted democratic norms more willingly, as demonstrated in the case of Germany after 1945 and also partially in Bosnia. The poor reputation of the external norm entrepreneur in Weimar on the other hand, contributed to the rejection of the imposed democracy.

Fifth, reconciliation is, in theory, possible both internationally and domestically; however, in practice it is more difficult to deal with after intra-state conflicts than after inter-state conflicts. Strong measures against spoilers have to be taken and hate speech prevented in order to internalize a new mindset and to overcome ethnic stereotypes. Since political identities are socially constructed and subject to change, people can develop multiple identities that complement one another especially when political elites do not

play the card of nationalism and polarize society. A more homogenous society in the cases of Germany, and the still ethnically divided and polarized society in Bosnia, supports that argument.

All three cases show that the international context also matters. It can have either a weakening or a strengthening effect on democratization. In interwar Germany, the international environment was not supportive of democracy, since in interwar Europe, one country after the other fell back into authoritarian rule. In Bosnia, at least as long as Milosevic and Tudjman were in power in Serbia and in Croatia respectively, these states had a weakening influence on internal reconciliation and thereby on the democratization of the country. After Serbia and Croatia became democracies, the international environment became more supportive and more stabilizing for the nascent democracy of Bosnia. The international environment for West Germany, after 1945, was the most supportive for democracy among the three cases.

The Cold War accelerated the political independence of the Western occupation zones and the creation of the Federal Republic of Germany, along with its subsequent integration into Euro-Atlantic structures.

Sixth, the three cases differ in the respective outcomes of the democratization attempts. The case of Germany after 1945 is a prime example for a successful democratization in the aftermath of conflict, the case of Weimar is a prime example of failure, and the ongoing case of Bosnia so far, is one of partial success.

The results of the democratization process are surprising, since the country with the greatest mismatch, Germany after the Second World War, achieved the best result and developed into a mature democracy, whereas the democratization of interwar Germany with less of a mismatch ended in failure, and Bosnia with the least mismatch still is in the state of a nascent democracy. This indicates that political culture can change and that norm empowerment apparently matters more than cultural match.

The case of the Federal Republic of Germany shows that political culture can change in a society over a period of several decades given favorable conditions. West Germany transformed into a consolidated democracy from the apparently worst starting

position regarding the cultural match. A high degree of dependency on external aid after the war, the willingness and the commitment of the Western Allies to empower the transition process, and the almost complete control over political affairs in West Germany during the occupation phase, created favorable conditions for some already existing small, but under norm empowerment quickly growing islands of democracy within the country. Democratic development was promoted both by strong external, and by increasingly strong internal norm empowerment. The absence, prevention and/or control of potential spoilers of the process were as important as an appropriate constitution; the democratization of state institutions; the financial aid of the Marshall-Plan (the foundation for the Wirtschaftswunder); the international reconciliation process; and the gradual integration into Euro-Atlantic structures. A quickly improving standard of living, in combination with political stability, demonstrated the achievements of a democratic regime, and trust developed towards democracy. The result was the internalization of democratic norms and a consolidated democracy. Again, the case demonstrates that norm empowerment is apparently more important than the quality of the existing cultural match at the beginning of the democratization process.

The case of Weimar Germany confirms this conclusion. It had not been possible to change the political culture in Weimar Germany and to replicate the Western model without norm empowerment, even though the cultural match was not as negative as in the same society two and a half decades later. There were some weak islands of democracy, but they could not grow. Only a formal adoption of democracy took place. Even under the new democratic regime and (too many) democratic elections, the belief that an authoritarian alternative would be better remained unchanged throughout society.

Spoilers to the democratization process were not contained. Although the Emperor had abdicated, de facto the same political figures that had been influential in the Wilhelmine Empire remained influential in the Weimar Republic and obstructed the nascent democracy. The reputation of the norm entrepreneur was very low from the beginning. The humiliating peace settlement and the subsequent actions of the West (especially concerning reparations) were counterproductive and had a weakening effect on democratization, since all the legacies of the lost war were linked to the imposed

political system. Strong domestic anti-democratic strands, even among politicians of the moderate parties in combination with a practically non-existent external and internal empowerment of democratic norms, the exploitation of constitutional weaknesses, the omission to democratize state institutions, political instability in an overall volatile political climate, and particularly the inability of the democratic government to cope with economic crisis, promoted the rejection of democratic norms, eventually resulting in the biggest democratization failure, so far. The failure of the Weimar democracy demonstrates how important it is that people accept democracy and develop trust into their institutions. People have to accept democratic procedures, political compromise and decisions. The more support democracy receives from its citizens, the more stable it is. Only when people have that trust can democracy survive political shocks or enduring crisis. If people are convinced that democracy cannot cope with political, social and economic tasks, the situation becomes problematic. Problems of efficiency lead to a loss of legitimacy for a democratic government.

The case of Bosnia cannot be compared exactly with the other two cases because of its divided society as a consequence of interstate conflict. The case shows that an ethnic or identity-based division of the target society can pose an almost insurmountable obstacle to real progress in a democratization endeavor. However, democracy could achieve partial success, and it is unlikely that democracy will fail in Bosnia in the long run, but only as long as the international community is willing and capable of putting resources in the project to stabilize the nascent democracy. However, real progress in Bosnia depends on the development of much more tolerance among the ethnicities.[365]

Last, but not least, the cases demonstrate that political change does not take place overnight, but that the transition from a nascent to a consolidated democracy can take generations. Even in the successful case, Germany after 1945, democratic institution building, under the external pressure of an occupation regime, was only a first step towards democracy. Initially, the imposed democracy was supported only by a minority. The more important step towards stable democracy, the internalization of democratic norms took place over a much longer time period, mainly after the Federal Republic of

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[365] David, 1.

Germany was founded. The growth of a stable democratic political culture took time. And this time horizon runs counter to the much more short-sighted post-conflict peace building horizons of the international community in their constant debates about exit strategies.

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# IV. CONCLUSIONS

This thesis has analyzed how international actors intentionally diffuse norms in post-conflict peace building. The research has shown that even though the many peace builders are not unitary actors, they come predominantly from Western elites and share similar normative beliefs that they try to implant in war-torn societies. Norms of democratic governance are equated with good governance and the aim is to democratize respective countries. The case studies have shown how crucial the norm diffusion process is for the outcome of such an endeavor.

Norm diffusion theory does not offer a formula for successful democratization, but it has explanatory power in studying success and failure of past and present democratization attempts. The concept can be a tool to analyze target societies, particularly the amount of cultural match and the required norm empowerment, and thereby protect against faulty assumptions and overoptimistic expectations in ongoing and future democratization projects. The cases indicate that it would be unwise to ignore the effects of the two variables, cultural match and norm empowerment, on democratization attempts in post-conflict situations. Several lessons can be drawn.

First, although each post-conflict situation is unique, most share common characteristics, such as a large degree of physical destruction, a limited supply situation, the partial or complete breakdown of state institutions, and value disorientation in the war-torn society. These typical war consequences produce dependencies on external support. These dependencies give the international community leverage, particularly in the immediate post-conflict phase, and principles of conditionality can be applied since the target society has to accept conditions in exchange for support. Thus, the international community can use its leverage to promote norm diffusion and to empower democratic norms. Yet, over time that leverage diminishes since the primary needs of the target society are gradually addressed as the physical reconstruction of that

country proceeds. Thus, political conditionality and issue-linkage are more effective in the close aftermath of a conflict when the international community enjoys the greatest bargaining leverage.

Second, after the partial or complete breakdown of state institutions, target societies are often internationally administered, at least temporarily. This form of direct governmental control through international agencies takes place only in post-conflict situations. It can lead to quasi-protectorates of long duration as in Bosnia after Dayton and in Germany after the Second World War, and offers a unique opportunity to introduce and to implant new norms.

Third, the existing belief system in a target society can be an obstacle to the populations' mental transformation in support of democracy. An analysis of the existing political culture in the target society helps to determine the cultural match and to identify potential spoilers to the democratization process. People are especially open to change and new ideas when they have lost trust in their prior leadership and political system. When authoritarian belief systems are more salient, democratic norms resonate less. The manner in which norm change is promoted is important, since in the context of an international presence and/or administration different mindsets and cultures clash. The cases indicate that a cultural match, however negative it might be, is not an insurmountable obstacle to democratization. Mindsets and political culture can change if presented accordingly. Where the conditions for the diffusion of democratic norms are not favorable, a strong empowerment of these norms by external and internal factors is important to help them gain ground. A lack of experience with democratic processes, an undeveloped democratic culture where the need to compromise is not accepted, makes it more difficult to transform the existing political culture but it is not impossible. Consequently, norm empowerment is more important in a democratization process than the amount of cultural match.

Fourth, the democratization of existing or the establishment of new democratic institutions is a first necessary, though not sufficient, step towards democracy. New political structures are institutionalized in the constitution or the legislation of the target society. This is just the beginning of the internalization process, which needs to continue

long thereafter (as visible in all three cases). Institution building succeeds more quickly than changing the attitudes and preferences of the people behind these formal structures. But, the latter is the more important step for democratic institutions to develop into more maturity. Successful democratization depends on the acceptance and internalization of democratic norms by the target society. This acceptance, on the other hand, depends on both rational and emotional factors. Both need to be addressed by the creation of favorable conditions for a successful transition to democracy. Potential spoilers to the democratization process, in particular, need to be identified early, their "breathing space" and influence reduced accordingly.

Fifth, external norm empowerment is most effective when it empowers domestic actors and strengthens already existing islands of democracy, however small they might be. The steps from a nascent democracy towards a more consolidated self-sustaining democracy depend on domestic support for the new regime. Thus, an initial strategy to develop domestic support is to strengthen democratic islands in order to help them survive and expand. Democratic consolidation depends on shared democratic norms and values within the target society and on the development of civic society to develop a democratic culture. And although transition processes are unstable and conflict-producing, and democratization has destabilizing side effects, local stakeholders need to be gradually put at the center of the process. Gradually, self-government (ownership) needs to be restored; people have to take responsibility for their own affairs.

Sixth, the more support democracy experiences from its citizens, the more stable it is. Only when people have that trust, can democracy survive political shocks or enduring crises. If people are convinced that democracy cannot cope with political, social and economic tasks, the situation becomes untenable. Problems of efficiency lead to a loss of legitimacy for a democratic government. The perceived effectiveness of a democratic regime, whether it is able to cope with the problems of the day, and whether the past was better than the present, plays a role. Democratic norms gain ground when people observe and acknowledge the achievements of democracy. Economic stability,

growing prosperity and a decent standard of living enhance the legitimacy of a democratic regime. Economic efficiency leads to democratic viability.

Seventh, the international context matters. A supportive environment promotes regime change; an obstructive environment can strengthen domestic spoiler groups, and thereby, at least slow down the democratization process.

Eighth, when democratic institutions are formally in place, it is important that people in the target society act according to democratic principles and that they follow democratic procedures. Yet, a prerequisite often is that people in the target society first learn the new rules. This process must be allowed sufficient time. Reorientation programs can be supportive in order to build that understanding.

Ninth, a peace settlement perceived as unjust or a policy of revenge is an inappropriate starting position for democracy. It is necessary to look ahead and to develop a motivating context that leaves room for reconciliation between the former opponents and for their reintegration into the international community.

Tenth, a specific challenge is posed by the democratization of a divided society. Divided societies often cannot cope with the competition that democracy encourages, until structures to resolve internal disputes peacefully are in place.[366] Ethnic division can be a strong intervening variable that cannot be overcome by external incentives alone, since the affective dimension is more important than the cognitive dimension. Furthermore, war atrocities and ethnic cleansing make reconciliation processes and the restoration of social peace within a divided society much more difficult. Yet, reconciliation is a prerequisite for social reconstruction.

Last but not least, democracy takes root slowly. The transformation of a nascent democracy to a consolidated democracy does not take place in years, but in decades, or even generations. A long-term commitment of the international community is required. As Dobbins puts it: "while staying long does not guarantee success, leaving early ensures failure" in externally imposed democratization processes.[367] The democratization of a

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[366] Paris, *At War's End: Building Peace After Civil War*, ix, 235.

[367] Dobbins et al., xxiv.

divided society demands an even greater staying power of the international community than after an inter-state war. The international community needs to be prepared to invest both the sufficient time and the resources into the project. Patience is crucial in every social reconstruction and democratic reorientation project.

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